United States Court of Appeals

for the Second Circuit

APPENDIX

76-6071

IN THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

B

W. J. USERY, JR., SECRETARY OF LABOR,
UNITED STATES DEPARTMENT OF LABOR, APPELLANT

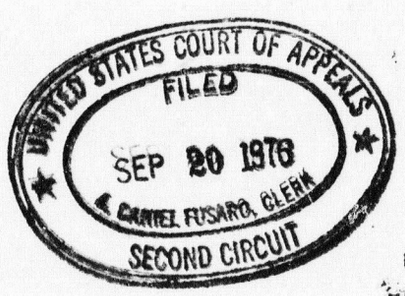
v.

COLUMBIA UNIVERSITY, A Corporation, and WILLIAM
J. McGILL, Individually and as President of
COLUMBIA UNIVERSITY, APPELLEES

Appeal from the United States District Court
for the Southern District of New York

APPENDIX

VOLUME IV



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NATHAN SHERVINGTON, called as a witness by defendants and third-party plaintiffs, being first duly sworn, testified as follows:

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DIRECT EXAMINATION

BY MR. STITT:

Q How old are you, Mr. Shervington?

A 53. I'll be 54 Friday.

Q And will you tell us how far you went with your formal education?

A Twelfth grade.

Q When did you become employed by Columbia University?

A 1946, July.

Q In what position?

A As janitor.

Q And how long did you remain as janitor?

A Eight years.

Q And what was your next position?

A Head janitor.

Q And as head janitor, what were your duties?

A Overall supervision of all personnel on the three

to twelve shift.

Q What buildings were you assigned in your duties as a janitor?

A I was assigned to Pupin Hall.

Q And how long did you hold the title of head janitor?

A About four years and eight months.

Q And what position did you assume at that time?

A I was promoted to assistant supervisor on the same shift.

Q All right. And as assistant supervisor, what were your duties?

A I was a little bit more--I was given a little more duties to perform as an assistant supervisor.

Q Give us a couple of examples, if you will.

A I acquired more buildings in this area.

Q Was this within the Buildings and Grounds Department?

A Correct.

Q How many buildings did you have under your supervision as an assistant supervisor?

A As assistant supervisor, I had about 24.

Q And were those in the Morningside Heights area?

A That's correct.

Q And what was your next position after assistant supervisor?

A I was promoted to full supervisor.

Q And when was that?

A 1954, I believe.

Q And as supervisor, what did you have under your bailiwick?

A I had a section of the campus that was assigned to me, which was the west section, running from Journalism all the way to Pupin.

Q And what shift was this on?

A I was on the morning shift, 5:30 to 2:30.

B2 Q And how many persons did you have under your supervision in this shift?

A In that grouping, I had about 68.

Q And your next position?

A Well, we went to the night shift. I was still a supervisor then.

Q And how long did you remain a supervisor on the night shift?

A About three years.

Q At that time, did you become night superintendent?

A Correct.

Q Would you fix the year when you became night

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superintendent?

A About '57, I believe.

Q And would you describe for us just briefly your duties as night superintendent, what you do as night superintendent, who is under you? List the table of organization if you will.

A As the night superintendent, I am responsible for all the housekeeping on the twelve to 8:30 shift. More or less I supervise all personnel, including supervisors themselves. I have to order material for all buildings under my shift, inspection of buildings, and there are various other duties I have involved with this here.

Q And how many supervisors do you have directly under you?

A I have eight assistant supervisors and one full supervisor.

Q And below the supervisor level, what personnel do you have?

A I have cleaners, light and heavy.

Q Approximately how many light cleaners and how many heavy cleaners?

A About 78 light, about 74 heavy.

Q Now, during the course of your duties as night superintendent, do you go around to the various buildings?

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A Oh, yes.

Q And do you observe heavy and light cleaners performing their duties?

A Correct.

Q How often do you go around to each building, on an average?

A Well, it all depends on what takes place, what orders I have for the night to be done. Sometimes I am confined maybe to one area, maybe two buildings for the night, because there is certain heavy duty work going on there and I have to be there, construction and things like that to be cleaned up.

Normally I get around to all buildings. Within the month I get around to them.

Q Now, on a building-by-building basis, I am going to ask you to give us the number of heavy cleaners, the number of light cleaners in each, I am going to ask you to summarize their duties, and I'm going to ask you to focus on the recent years beginning with, say, March 11, 1971. Do you have that in mind?

A I think so.

Q All right. Let's take the building called Avery.

A Architecture.

Q How many heavy cleaners and how many light cleaners

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do you have?

A I have one heavy cleaner and two light cleaners.

Q Will you tell us what the heavy cleaner does there?

A The heavy cleaner is responsible for the removal of all trash from the building. He is also responsible to clean the 600 floor studios, where we have drafting tables and things like that. We get an enormous amount of paper in these areas. So this area he takes care of himself.

He is also responsible for the cleaning of all the men's and ladies' rooms in the building, staircase, corridors, whatever project work I have to assign to him.

Q You mentioned cleaning the stairways and the corridors. Does that involve wet mopping?

A That involves wet mopping. That is every night.

Q And what about the head cleaning and the rubbish removal?

A That is every day.

Q You mentioned project work. I know we are going to get into that term as we go forward in your testimony. Would you tell us what project work is and what kinds of work go under that umbrella or are within that term?

A Project work is something which we don't get to every day. Say, for instance, the mopping of staircases every day, something of this sort; venetian blinds. This is

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project work. High dusting, wall washing, these are all project work, something that is not done daily.

Q Would that include floor machine work, for example?

A Oh, yes; scrubbing.

Q What sort of venetian blind cleaning are you talking about as heavy cleaner project work?

A The venetian blinds you have on the window there.

Q What do you do with them?

A We take them down. We have a large tank, which we have a solution in it, and they are washed in it and they are rinsed in it now and hung up to dry.

Q Now, what do the light cleaners do in Avery?

A They are responsible for the office areas, libraries in this building.

Q What sort of cleaning do they do in those offices and libraries?

A It is a general cleaning, what I would say is--removal of waste paper baskets, dump those, and thorough dusting of the office, and vacuuming also, and removal of spots, and things like that, from the wall.

Q Now, the library.

A Butler, I have 11 light cleaners and 5 heavy cleaners.

Q Tell us first what the heavy cleaners do in Butler.

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A I have certain men in Butler who are assigned to particular jobs. These are rest rooms. This is their routine for the night.

Q Would Mr. Cordero be one of those?

A That's correct.

Q Continue, Mr. Shervington.

A We have other men that are assigned mostly project work, scrubbing, wall washing, cleaning of Venetian blinds, anything that is necessarily sent down to me from the Superintendent of Services in the day.

Q Do you have men in Butler who attend to rubbish removal?

A Yes. This is part of Mr. Cordero's job also, that he has to--at 6:00 a.m. in the morning, he stops what he is doing there and he reports to the station.

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Q And do you have men who are assigned to wet mopping?

A Oh, yes.

Q That wet mopping, that rubbish removal and that head cleaning, is that done every night?

A Yes.

Q What do the maids, or light cleaners, do?

A They are responsible for, mostly, the dusting and cleaning of the reading rooms, office areas, and things like that.

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Q Now, are any of them assigned work in the stack areas of Butler library?

A Yes, they do.

Q What would they do up in the stack areas?

A In the stacks, all shelving are to be dusted--that is, open areas, not the books, just the open areas--and the dust mopping of the floors and the picking up of the waste can.

Q Are there any toilet facilities there?

A Yes. In most stack areas there's two, two on a stack area.

Q How do they compare in size to the public lavatories in Butler?

A They are quite small.

MR. BERKE: Objection. Move to strike that answer "quite small."

MR. STITT: I will have him expand on that.

Q Would you say what you mean by that?

A Five by four.

Q And how many toilets would they have in each?

A Stacks usually have just two on each side.

Q Two toilets in each stack?

A Yes.

Q In each five by four toilet area, how many toilets

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would you have?

A Oh, just one, one commode and one basin, mirror.

Q Are you familiar with the use that these stack toilets get and are you familiar with the use that the public lavatories get?

A Yes.

Q Would you compare that for us?

A The public toilet, there's about 10,000 people come through the main door of Butler every day, so you can imagine what the use of the public toilet is.

MR. BERKE: Objection, your Honor, to "you can imagine." I move to strike that.

Q Is it your testimony that the public toilets would receive greater use--

THE COURT: He said that there are 10,000 people that go through the doors every day and that the public toilets obviously get great use from that inflow of people.

Overruled.

Q Now, do you have a building known as Casa Italiana?

A I have one light cleaner in this building. She is a part time. She comes in at 5:30 a.m. in the morning and she is in the library area in this building. Her duties is the same as any other light cleaner's: just dusting, picking up papers and things.

Q Do you have a building called Chapel?

A The Chapel? Yes, I have that.

Q Where is that?

A That is on the Morningside Heights campus.

Q Who do you have assigned to that?

A I have a heavy cleaner assigned to that area.

Q What does he do?

A His job is required to--the cleaning of the floors and everything, mopping of the floors, staircase and everything there, and the removal of all trash in that building.

Q He does that every day?

A He does that every day.

Q Do you have a building called Chandler?

A Chandler is the chemistry building. I have two light cleaners and three heavy.

Q What do the heavy cleaners do in Chandler?

A I have one heavy cleaner who takes care of four floors of chemical labs. His job is to mop--sweep and mop these labs daily, along with the corridors.

I have another gentleman who is required to take care of the toilets and trash. The other man is assigned to scrubbing and things of this nature.

Q Project work?

A Project work.

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Q This wet mopping and toilet cleaning and rubbish removal, is that done on a nightly basis in Chandler?

A That's correct.

Q What do the light cleaners do in Chandler?

A They are in the library, which we have one library in the chemistry building, and all office areas.

Q And what do they do in those areas?

A Dust and dust mop.

Q Who takes care of the waste baskets in Chandler?

A I have a heavy cleaner assigned to that.

Q Would you tell us the factors that were involved in making that decision, in making that assignment?

A The reason why I have the heavy cleaners do this, because the fact is that I get a great deal of trash out of this building, bulk trash, bottles, cans, glass and things of this nature.

Q Did I understand you to testify that Chandler is part of the University's chemistry department?

A Correct.

Q Is there another building also involved?

A That is Havemeyer.

Q Who handles the waste baskets in Havemeyer?

A A heavy cleaner does. This is also the same as Chandler because of the type of trash I get out there.

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Q That's what I'm going to get to. What type of trash do you get in the University's chemistry department building?

A Most of this is different kinds of acids in liquid form. These things have to be taken from the building in special cans, which are put into the dump outside of the Terrace building.

Q Now, continuing, Dodge Hall.

A Dodge, I have three light cleaners and four heavy cleaners.

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Q What do the heavy cleaners do in Dodge Hall?

A I have one man assigned to rest rooms and corridors. The other man is assigned to stairways, lobbies. And this goes all the way down. It is a seven-story building.

Q Does that man do wet mopping of those staircases?

A Yes, of the stairs, every night, all the way down. And trash removal and whatever scrubbing has to be done, scrubbing of floors and things of this nature.

Q That would be machine work?

A Correct.

Q And are those lavatories cleaned, are those stairways wet mopped, and is that rubbish removed every night?

A Correct.

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Q What do the light cleaners do in Dodge, Mr. Shervington?

A Light cleaners are responsible for the library which we have in the building, which is dusting and removal of the waste and dust mopping of the floors. This is it.

Q And Earl Hall?

A Earl Hall, I have just one assignment there, one on a floor. I don't take care of the remainder of the building. I just take care of the 100 floor. I have a light cleaner that goes in and removes all the trash and everything, and dusts. I also have a heavy cleaner that goes over and takes care of the rest rooms and the corridor on the floor.

Q When you say 100 floor, is that the equivalent of what others might refer to as the first floor?

A Yes, first floor.

Q Do you have a building called Engineering-Terrace?

A Yes. Engineering-Terrace, I have five light cleaners--six, if you are putting both the buildings together. Engineering is one building. Terrace is another.

Q I see. Thank you. Let's put them all together since I've done that in my question.

A I have six light cleaners and five heavy.

Q What do the heavy cleaners do in the Engineering-Terrace complex?

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A They are responsible for all the removal of all the trash from the building when it is put out by the light cleaners. They are responsible for all the cleaning of the floors, scrubbing of the floors, staircase, high dusting, general cleaning.

Q Do they clean the lavatories in those buildings?

A Yes.

Q And that is done on a nightly basis?

A Yes.

Q And is there wet mopping done on a nightly basis in those buildings?

A Yes, sir.

Q And rubbish removal?

A Rubbish removal and everything of this nature.

Q What do the light cleaners do?

A They are responsible for the office areas on their floors, the removal of the waste paper baskets, and the dusting and the dust mopping of the floors.

Q Fayerweather?

A I have three light cleaners and one heavy cleaner.

Q Tell us what the heavy cleaner does.

A He is responsible for cleaning all the blackboards in this building, the men's room, the corridors, wet mopping, staircase, the main lobby, and whatever project work we can

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be assigned.

Well, normally she is by herself, so I have to-- when she has to scrub, or anything, I have to send her somebody over to give her assistance.

Q This is a female heavy cleaner you have in Fayerweather?

A Yes.

Q What is her name?

A Mrs. Gilliam.

Q And she does that each night?

A Yes.

Q And what do the light cleaners do?

A They are responsible for all the office areas in the building.

Q Dusting?

A Dusting, dust mopping.

Q Next is Hamilton.

A Hamilton Hall, I have three light cleaners and three heavy.

Q All right. Tell us what the heavy cleaners do.

A I have one heavy cleaner, who is responsible for the sweeping of all classrooms and mopping as many as he can each night.

Q When you say, "mopping," do you mean wet mopping?

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A Wet mopping. I'm sorry. He is responsible to do so many each night. In this way, by the end of the week, we cover a great deal of territory as far as wet mopping is concerned.

I have another man who is just assigned to toilets, rest rooms.

Q Men's and women's rooms?

A That's correct. His job also requires the removal of the trash from the building, which is picked up by the heavy cleaners and deposited in front of the elevator.

Q Now, again, is this wet mopping, this toilet cleaning, this rubbish removal done each night?

A Yes. Also there is another assignment for staircases. The staircases have to be mopped each night, particularly in this building here, because this is a college and we have very heavy influx in this building here.

Q And that is wet mopping of these staircases?

A Oh, yes.

Q And what do the light cleaners do there?

A They are responsible for all the office areas and some seminar rooms.

Q Again, the general cleaning that you mentioned earlier--

A Removal of trash, dust mopping, vacuuming, whatever

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is on the floor.

Q Next, Havemeyer, which we mentioned earlier before with regard to waste baskets. How many light cleaners and how many heavy cleaners do you have?

A In Havemeyer, I have three. Their job is responsible for the offices.

Q Is this heavy or light?

A Light.

Q And how many heavy cleaners do you have?

A Three I have there.

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Q What do the heavy cleaners do in Havemeyer?

A The heavy cleaners are responsible for all student labs, I mean like classroom labs. These are very large areas, about 12, 14 hundred square feet. They are responsible for the damp mopping, wet mopping of these floors, the cleaning of the counter tops and things, and removal of all trash from these areas.

Q This is the chemical trash that you referred to earlier?

A That's right.

Q And what else do your heavy cleaners do in Havemeyer?

A They are responsible for all the scrubbing, stripping of all floors, mopping of the corridors, staircase,

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high dusting, any kind of project work that needs to be done, high dusting and things of this nature that is done by them.

Q Now, is this head cleaning, the rubbish removal and this wet mopping done on a nightly basis?

A Correct.

Q What do the light cleaners do in Havemeyer?

A They are responsible for the office areas, dust mopping of floors, all vacumming. I have very little carpeting in that area.

Q Next is Journalism.

A Journalism, I have three light cleaners and three heavy.

Q Tell me what the heavy cleaners do in Journalism.

A I have a heavy cleaner who is responsible for the removal of all trash of all the rooms, every room in the building. He gathers that up during the night. He is also responsible for the cleaning of all the rest rooms and assisting of the other men to put the trash onto the sidewalk. This is one building we get a tremendous amount out of, very heavy.

Q I was going to ask that. What factors go into having the heavy cleaner remove the trash and the waste baskets in Journalism as opposed to any other building?

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A We get a lot of pamphlets and a lot of bulk, heavy printed material, and this is the reason why I assigned a heavy cleaner to do this.

Q And what else do the heavy cleaners do in Jouralism?

A They are responsible for all the staircases, the mopping of the staircases on both sides. It is 14 floors of staircase. And he is also responsible for the lobby and the basement area.

Q Does that require any wet mopping in the lobby?

A That requires wet mopping every night.

Q In that basement?

A Right.

Q And this wet mopping, this head cleaning and this rubbish removal, is that done on a nightly basis?

A Yes.

Q What do the light cleaners do in Journalism?

A Light cleaners are responsible for all the dusting and vacuuming in the office and library areas.

Q But this does not include emptying waste baskets?

A Oh, no, not in Journalism.

Q Continuing. Kent.

A Kent, I have three light cleaners and two heavy.

Q What do the heavy cleaners do in Kent?

A They are responsible for the removal of all trash

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from the building, which is picked up by the light cleaner and placed at the elevator. They are also responsible for all the staircases and corridors throughout the whole building, they are wet mopped every night, and also the packing of the trash to be removed to the street and any project work which has to be assigned to them. I get calls stating that a room needs refinishing, needs stripping. I make arrangements to have that done.

Q Are there lavatories that are assigned to the heavy cleaners in Kent?

A Yes. I have one. That is the basement.

Q Now, this lavatory cleaning, this rubbish removal and this wet mopping, is that done on a nightly basis?

A That is done on a nightly basis.

Q What do the light cleaners do in Kent?

A They are responsible for the Bursar section, the office areas, dusting, removal of the trash, and vacuuming.

Q When you say "removal of the trash," you mean emptying waste baskets?

A Yes.

Q Continuing. The Law Building.

A The Law Building, I have seven light cleaners and eight heavy cleaners.

Q What do the heavy cleaners do in the Law Building?

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Incidentally, Kent used to be the headquarters of the law school, did it not?

A Kent used to be the old building, old law school building.

MR. BERKE: Your Honor, I am going to ask that Mr. Shervington list the number of cleaners, light and heavy, that he give us some idea if we are dealing with the full shift or just the night shift.

THE COURT: You may cross examine on that.

Q What do the heavy cleaners do in the law building, Mr. Shervington?

A They are responsible for the mopping of the lobbies the removal of trash, mopping of classrooms, staircase, whatever project work has to be assigned to these gentlemen.

Q And do they attend to the lavatories and the rubbish removal?

A Yes.

Q And are these lavatories cleaned and is this rubbish removed and is the mopping done every night in this building?

A Every night.

Q What do the light cleaners do in the law building?

A They are responsible for all the office areas and the library reading rooms. Their job is just to dust and--

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dust mop the floors and things of this nature, remove spots from the wall.

Q Next, Lewisohn.

A Lewisohn, I have three light cleaners and two heavy cleaners.

Q Tell us what the heavy cleaners do in Lewisohn.

A They are responsible for all the rest room cleaning, staircase, corridors, and whatever project work to be assigned.

Q Who takes care of the rubbish removal?

A These gentlemen also--that is part of their routine.

Q Is this rubbish removal, the head cleaning and is this wet mopping required in this building every night?

A It is done every night.

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Q What do the light cleaners do?

A They are responsible for the office areas, vacuuming, removing of the waste and dusting.

Q All right. Low?

A Low Library, I have two light cleaners and three heavy.

Q What do the heavy do in Low?

A Heavy cleaners are responsible for removal of certain areas--trash in certain areas of this building. As I only have two light cleaners in this building, so I have to

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offset it by helping out there. They are also responsible for all the scrubbing, mopping of the corridors, mopping of the stairs, rest rooms, and whatever project work has to be assigned, venetian blinds, high dusting, things of this nature.

Q What sort of high dusting would be required in Low? Does this building have a rotunda, for example?

A Yes. We have a rotunda in this building, columns and things of this nature, all around.

Q How high is that ceiling in that rotunda?

A I really never estimated it. It is quite high. About four stories high.

Q And is this head cleaning, this rubbish removal and the wet mopping you've described done nightly?

A Oh, yes.

Q And would you tell us what the light cleaners do in Low?

A They are responsible for the office areas, the vacuuming, the dusting.

Q Next is Mathematics.

A Mathematics, I have two light cleaners and two heavy cleaners.

Q Tell us what the heavy cleaners do.

A The heavy cleaners are responsible for the mopping

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of all corridors, all staircases, and project work assigned, removal of trash, and things of this nature.

Q And are they assigned to wet mopping?

A Oh, yes.

Q And is that done on a nightly basis?

A That is done on a nightly basis. The staircases have to be mopped down every night, corridors mopped every night, rest rooms and everything.

Q Rubbish has to be removed every night?

A Rubbish has to be removed.

Q What do the light cleaners do in Mathematics?

A The light cleaners take care of the library area and all office areas. They remove all the trash from there and vacuum the floors.

Q They empty the waste baskets?

A They empty the waste baskets.

Q Next, Mudd.

A Mudd. I think you went through this with me. That is the Engineering-Terrace, you are talking about.

Q Oh.

A That is the Engineering-Terrace complex.

Q So whenever we refer to Mudd, we are also referring to the Engineering-Terrace?

A That is the whole complex.

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Q Pegram.

A I have one heavy cleaner in that building. He doesn't spend--he spends four hours in that building. He is responsible for the cleaning in that area, toilets, hallways, staircase, and removal of the trash in that building.

Q He does that each night?

A He does that each night.

Q Next, Philosophy.

A Philosophy, I have three light cleaners and two heavy cleaners.

Q What do the heavy cleaners do in Philosophy?

A They are responsible for the mopping of all corridors, staircase, lobbies and removal of trash from the building, also whatever project work is to be assigned to them.

Q And are those lavatories cleaned nightly?

A Yes, they are.

Q And is that rubbish removed nightly?

A Yes.

Q And is there wet mopping going on nightly in that building?

A Absolutely.

Q What do the light cleaners do?

A They are responsible for the office areas, which is vacuuming or dust mopping and dusting of the furniture.

Q Next, Pupin.

A I have five light cleaners and three heavy.

Q Is Mrs. McGee one of your light cleaners in that building?

A That's correct.

Q What do the heavy cleaners do in Pupin?

A They are responsible for the removal of all trash, mopping of corridors, whatever project work is to be assigned by the supervisor.

Q Who cleans the heads in Pupin?

A Well, that is between--split between two shifts. I have four rest rooms to take care of in the building. The rest is taken care of on an earlier shift.

Q Is it your head cleaners who do that rest room cleaning in Pupin?

A My men?

Q Yes.

A Yes.

Q And is this wet mopping done in Pupin on a nightly basis?

A Yes, it is.

Q And is this trash removal and head cleaning done

in Pupin on a nightly basis?

A Correct.

Q What do the light cleaners do in Pupin?

A They are responsible for the library area and all office areas. We have also lecture rooms, which they sweep and dust mop, and classrooms are done by them.

MR. STITT: If I may have a moment, your Honor.

(Pause.)

Q Do you have Schermerhorn or Schermerhorn extension? Is that one building or two?

A That is two buildings.

Q Let's take Schermerhorn first. How many heavy cleaners and how many light cleaners do you have assigned?

A I have two light cleaners and three heavy.

Q All right. Let's take the heavy cleaners one by one in Schermerhorn. Tell me what they do.

A One man is responsible for the cleaning of the rest rooms and the removal of the trash from the building. The other gentleman is responsible for the mopping of labs and corridors and vacuuming of corridors and the mopping of the main lobby and the basement area. The other gentleman would be assigned whatever project work is necessary.

Q And is this lavatory cleaning and this wet mopping and rubbish removal done on a nightly basis?

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A It is done on a nightly basis.

Q What do the light cleaners do in Schermerhorn?

A They are responsible for the office areas and library areas, reading rooms, of this nature--which means a --the removal of the trash, dust mopping or vacuuming, whatever is on the floor.

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Q Next, Schermerhorn Extension. How many heavy cleaners and how many light cleaners do you have in that buildling?

A Schermerhorn Extension, I have five heavy cleaners in that building and one light cleaner.

Q All right. What does the light cleaner do in Schermerhorn?

A The light cleaner in Schermerhorn--Schermerhorn Extension?

Q Schermerhorn Extension. Excuse me.

A She is responsible for the office areas only.

Q What do your five heavy cleaners do? Take them one by one, if you could.

A Each one has about three floors. They are responsible for the entire--removal of trash, the dust mopping of the floors, the wet mopping of the floors, and this is done on a nightly basis. We have a lot of heavy trash here in this area, glass, bottles and everything in this area.

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Q What kind of building is Schermerhorn?

A Zoology, psychology.

Q All right. Continue.

A It is one of these buildings that have a great deal of labs. They do a lot of laboratory work.

Q What else do your heavy cleaners do in Schermerhorn Extension?

A They are responsible for the stripping of the floors in their areas.

Q Is this machine work?

A This is machine work. Normally what we try to do is team them up so that one assists the other. Whenever the floors has to be done, we try to get them done that way.

Q What is the composition of the floors in Schermerhorn Extension?

A We have resilient.

Q And will you continue with your description of what the heavy cleaners do in Schermerhorn Extension?

A Well, he is also responsible for all the high dusting, the washing of walls in this area.

Q And is high dusting and wall washing under the heading of project work?

A That is correct.

Q Are there any lavatories in Schermerhorn Extension?

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A Oh, yes.

Q Who is assigned to the cleaning of those?

A You are talking about rest rooms?

Q Yes, please.

A There is also the heavy cleaner, who is assigned to this.

Q Would that be his regular assignment?

A This is a routine job for him.

Q And would this head cleaning, this rubbish removal, this wet mopping and this project work be done on a nightly basis in that building?

A Oh, yes, particularly in that building.

Q Next, SIA, which the record shows is School of International Affairs. How many heavy cleaners and how many light cleaners do you have in that building, Mr. Shervington?

A I got seven heavy cleaners--light cleaners, rather, six heavy.

Q All right. Tell us what the six heavy cleaners do, and group them one by one or in twos, whichever is most apt for you.

A They are responsible for all the wet mopping of all the lobby areas - there is quite a bit of lobby area; removal of the trash which is put out by the light cleaner -

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they bring it down; all the high dusting, wall washing and floor stripping.

Q Are there lavatories to be cleaned in this building?

A Yes. I have men assigned to this also. There's a team assigned to this. Their job is to go from the top down.

Q And is that their regular assignment each night?

A That is their regular assignment.

Q Who handles the removal of trash from the building at SIA?

A The heavy cleaner does.

Q And is that done on a nightly basis?

A It is done on a nightly basis.

Q What do the light cleaners do at SIA?

A They are responsible for vacuuming their areas, dusting of tables, desks, furniture, removal of waste baskets and things of this nature, and wall spotting.

Q That is spot cleaning the walls?

A Yes. You know, finger marks on the wall.

Q Next, University Hall.

A University Hall, I have two heavy cleaners there. They are responsible for the cleaning of all the men's rooms and locker rooms and shower facilities and the wet mopping

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of the staircase and the removal of trash from that area.

Q Is the University gymnasium located in University Hall?

A That's correct. That's the old gym. The new one is being built, is under construction right now.

Q Next, Uris.

A Uris Hall.

Q Is this the business school?

A This is the School of Business. I have five light cleaners and six heavy.

Q All right. Tell us what the heavy cleaners do at Uris, Mr. Shervington.

A Heavy cleaners are responsible for all high dusting, wall washing, stripping of floors, vacuuming of certain carpets in certain areas, and removal of trash, staircases--washing of staircases and everything of this nature.

Q And is this head cleaning, this wet mopping and this trash removal done nightly?

A It is done nightly.

Q And what do the light cleaners do in Uris?

A They are responsible for the office areas, which is vacuuming, dusting, removal of trash, and wall spotting.

Q Now, in addition, these buildings that we've just gone through, are they located on the Morningside Heights

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campus itself?

A That's correct.

Q In addition, do you have some off-campus buildings within your area of jurisdiction?

A Yes, I do.

Q And how many heavy cleaners or light cleaners do you have assigned to these off-campus buildings?

A I have three.

Q Are these heavy cleaners?

A These are light cleaners. I'm sorry. Light cleaners.

Q Where do they work?

A I have two assigned to McVickar Building and one is assigned to Haskell Hall.

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Q Are there other persons who work with them in those buildings?

A Oh, yes. I have a heavy cleaner assigned to each one of them.

Q What do the light cleaners do in these off-campus buildings?

A They are responsible for all the office areas - dusting, removal of trash, wall spotting, things of this nature, vacuuming.

Q And what do the heavy cleaners do who are assigned

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to off-campus buildings, if I may use that term?

A They are responsible for all the cleaning of the rest rooms, the mopping of the corridors, staircase, high dusting, wall washing, things of this nature, cleaning of venetian blinds. Whatever comes up that has to be done is more or less in their line.

Q Do you have some heavy cleaners assigned to work in off-campus buildings by themselves?

A Yes, I do. I have three off-campus areas--three heavy cleaners.

Q And are they responsible for those buildings by themselves?

A They are responsible for those buildings. They are responsible for everything in them, whatever is necessary: floor stripping, wet mopping, vacuuming. In other words, they do everything.

Q Mr. Shervington, I am going to show you a folder of photographs which has been marked--

MR. STITT: Your Honor, this might be a good time to take a short recess, if we could.

THE COURT: All right. We'll be recessed for ten minutes.

(Recess.)

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BY MR. STITT:

Q Mr. Shervington, some weeks ago were you requested to gather together some cleaning equipment for photographing at the University?

A Yes, sir.

Q How did you go about that?

A Well, certain areas, I just had them collected by the supervisors and brought to a central point, which is the basement at Mudd.

Q First of all, just generally, I am going to ask you to go through the various pages of the album, or folder if I may use that word, of University Exhibit R for identification and I ask you if you recognize any or all of the various items depicted in that exhibit.

A A 30 gallon mop tank.

Q Is that page 1, Mr. Shervington?

A That's correct.

Q Is that one of the items you gathered together?

A Yes.

Q Now, when you say 30 gallon mop tank, what does that indicate?

A It is a partitioned tank. It has two compartments, which holds 15 gallons of water apiece.

Q And what is that? In connection with what kind of

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work and what facilities is that 30 gallong mop tank used at the University?

A That is generally for heavy mopping.

MR. BERKE: Objection to the word "heavy," your Honor.

THE COURT: What kind of mopping, Mr. Shervington?

THE WITNESS: It would be for heavy mopping.

THE COURT: When you say "heavy mopping," what is encompassed in "heavy"?

THE WITNESS: When you put your mop in the tank, you come out with the mop totally wet, and water goes onto the floor. This we constitute as heavy mopping.

THE COURT: That is what you call it; that is the term of art you use at the University in connection with this, is that it?

THE WITNESS: Yes.

THE COURT: All right. Overruled.

BY MR. STITT:

Q In what areas would this 30 gallon mop tank be used?

A Mostly in any operation that we have which is a large area. Say, for instance, the corridors of SIA or Mudd or Butler, we use these mop tanks.

Q Now, is it the heavy cleaners who use those mop

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tanks or the light cleaners?

A It is the heavy cleaners who use these.

Q All right. Continuing to page 2, is that anoter view of the same mop tank?

A Yes, it is, the same mop tank.

Q I see a spigot down at the lower portion of that mop tank. What is that for, Mr. Shervington?

A That is to remove the waste, the dirty water. In the front compartment you have your cleaning solution, and this is your rinse.

Q Where the wringer is?

A Yes. This is where we empty it.

Q What operation is involved in putting the solution in that tank, or in that 30 gallon mop truck?

A Well, it is a matter of what solution we are going to use to clean a certain area, say terrazzo or resilient floors, and things like that, where you have a proportionate amount which is used, proportionate amount of solution.

Q Do I understand from your testimony, Mr. Shervington, you require a different solution depending on the type of composition of the floor?

MR. BERKE: Objection to the leading, Your Honor.

THE COURT: Overruled.

Q (Continuing) Explain that for us.

A This is due to the fact of what kind of soil you have on the floor which the solution--maybe a heavy sdlution will have to be used in order to remove that soil.

Q Now, what is depicted on page 3 of this exhibit?

A This is a large tank which we use mostly for cleaning of lights and venetian blinds. That is a very large tank.

MS. GOODMAN: Objection.

Q When you say "very large," is this partitioned in two sides?

A That's correct.

Q And do we have another view of that on page 4?

A Yes.

Q How does this particular tank compare in size to the 30 gallon mop truck shown in pages 1 and 2 of this exhibit?

A It is much larger.

MR. BERKE: Objection, your Honor.

THE COURT: There are rulers on it.

MR. BERKE: The pictures have rulers, and I don't see why we have to have testimony--

THE COURT: All right. This is not misleading anybody. Overruled. There are measurements on the equipment. Overruled.

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Please, let's go forward.

MS. GOODMAN: We have trouble readin the measurements.

THE COURT: We'll get it from the exhibit itself. I have a copy and I can make it out well enough for today's purposes.

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Q How many gallons would be contained in each of the two divisions of this particular tank, Mr. Shervington?

A Well, 60 gallons.

Q On each side?

A Oh, yes.

Q And who washes venetian blinds in that tank?

A This is done by the heavy cleaners.

Q Next, at pages 5 and 6, would you tell us what is depicted on those pages of this exhibit?

A This is a trash container, which we pack our trash in as it is picked up in the building, and it is then put on the sidewalk for the Sanitation Department to pick up.

Q And what employees put the trash in that truck and push it out to the sidewalk?

A This is done by the heavy cleaners.

Q Now, can you tell us how much those trash trucks weigh empty, Mr. Shervington?

A Well over 20[illegible] pounds, I can tell you that. I never

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actually lifted one of them.

MR. BERKE: Objection to the question,then.

Q Your best estimate would be in the area of 200 pounds?

A Right, or more.

THE COURT: Overruled.

Q And how much would they weigh with trash? Give us a range on that.

A Some of them--it is all according to what is picked up. In certain buildings, we have--it would be very, very heavy, I would say almost 800 pounds.

Q In what buildings would it go to almost 800 pounds?

A Journalism, SIA, places like that, law school.

Q These would be entities where you have publications?

A Yes, things of this nature.

Q Do you have any ebb and flow with the trash at the University over a Monday through Friday week?

A Yes, we do. We have--in fact, tonight would be a very heavy night.

Q This would be Monday night?

A Monday night, which is actually Tuesday. It would be a very heavy night. It seems like everybody throws away

everything.

THE COURT: On Mondays?

THE WITNESS: Yes, sir.

And Tuesday it is just slightly--a little different on Tuesday. But Wednesday it more or less tapers off. On Friday it begins to pick up again. It seems like everybody is going away for the weekend, they throw everything away, yes.

Q Continuing with pages 7 and 8, would you tell us what is depicted on those pages of this exhibit?

A This is a Vance shampoo machine. This is for shampooing of carpets. This is done by the heavy cleaner.

Q And is there a solution that is put into that machine?

A Yes. That is what we call a shampoo, rug shampoo.

Q And puts that solution in?

A This is all done by the heavy cleaner.

Q Does it vary with the kind of surface being cleaned?

A Yes, and the soil content of the carpet.

Q Next, page 9. What is depicted there?

A This is a pile lifter. A pile lifter is used mostly --when we walk on a carpet, I mean we flatten it down to a certain degree. What we use it for is to bring the pile up, to make it more cushy. In fact, the dirt doesn't seem to go

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down into it. Once we use the pile lifter, it brings it up and the pile is fluffy. Then we can vacuum it much better.

Q Who uses this pile lifter?

A This is done by heavy cleaners.

Q Next, would you tell us what is depicted at pages 10 and 11?

A This is a vacuum, a Noble vacuum. This is used mostly for corridors, large, expansive corridors, say, for instance, like in the Uris Building, where we have a tremendous amount of carpet. This is all done down through the corridor. It has a large nozzle on the end.

Q Is that nozzle shown at page 11?

A Yes.

Q Who uses that piece of equipment?

A This is done by the heavy cleaner.

Q Next, at page 12, will you tell us what is depicted there?

A You have a Eureka vacuum, a 334 Hoover, and a 913 Hoover.

Q The Eureka is in the center?

A The Eureka is in the center and the Hoover is on my right, and the 913 is on the left, there.

Q And do I understand the light cleaners use that equipment?

A That's correct.

Q Next, would you tell us what is depicted at page 13 and also 14?

A What you have here is Clarke floor machines. You have a model of a 17 and a 23 inch.

Q What are those machines used to do at the University?

A Buffing, scrubbing, stripping of floors.

Q Are they used on occasion to shampoo carpets?

A Yes. You have the necessary tank, which can be fixed onto this here. You have to have a special brush and everything for it.

Q And who uses that equipment at the University?

A This is all done by heavy cleaners.

Q And do we have another view of one of those floor machines at page 14?

A This is a 23 inch machine.

Q And what is shown?

A This is a pad. This is what you call the block. Normally, what it is, it is a rubber base. What we have to do is attach a rubber pad to this here, because I wouldn't chance it by using it--if it ever hits the floor in motion, the machine will really go out of control.

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Q Now, at pages 15, 16 and 17, what have we got on those pages?

A This is what is called a wet and dry vacuum. Primarily it is used--we use them for whenever we have floods or anything in the building, or for vacuuming carpets, this area.

Q And who uses that equipment?

A This is all used by the heavy cleaner.

Q Are there two different kinds of attachments shown at page 17?

A Yes.

Q Will you show that?

A We have what is called a squeegee type that is attached to the front there. This is for water pick-up. This is primarily used when we have a flood or something, although we can use the other squeegee also.

Q Next, at pages 18 and 19.

A This is what you call a trash cart, which is used by light cleaners.

Q That has a label "wastemobile"?

A Yes. This is where they take it into a room and pick up the trash.

Q They have a plastic liner on the inside?

A Yes, they do.

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Q At pages 20 and 21, what do we have depicted there, Mr. Shervington?

A This is what you call a mop bucket with wringer. That looks like a 32 quart to me, from what I see here. Also you have a pair of safety rubbers and a mop, which looks to me more like a 32 ounce mop.

Q Who uses that equipment?

A Heavy cleaners use this.

Q Now, you used the term "safety rubbers." Do we have a closer shot of that at page 21?

A Yes, we do.

Q Would you tell us what safety rubbers are, Mr. Shervington?

A Safety rubbers are used primarily whenever they are scrubbing or mopping, heavy mopping. It has sort of like suction cups, which won't slip, non-skid.

THE COURT: Mr. Shervington, are these rubbers furnished by the University to the men?

THE WITNESS: Yes, sir.

THE COURT: All right. It is not their personal equipment.

THE WITNESS: No, sir.

Q And page 22, what do we have depicted there?

A We have two mops, also safety rubbers.

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Q Those arethe same safety rubbers to which you just referred?

A Yes.

Q Can you tell us the size of those mops?

A One is a 24 ounce and the other is a 32.

Q And who uses that equipment?

A This is used by heavy cleaners.

Q And at page 23?

A You have a Wastemobile and a treated dust mop. This is primarily used by light cleaners.

Q Is that a 24 inch dust mop?

A That's correct.

Q And we have another shot of it at 24?

A Right.

Q And at page 25, what have we got there?

A What we have here is a 44 bucket on a dolly, with wringer.

Q Are those two 44 quart pails?

A Yes.

Q 44 is a term that is used regularly throughout B&G?

A Yes, it is.

Q And is that a description of the capacity of each of those two pails?

A Yes, correct.

Q What is that on top of the first pail there?

A That is a mop wringer.

Q And are they on some sort of contraption?

A On a dolly.

Q And who handles that equipment?

A The heavy cleaner.

Q For cleaning what kind of areas?

A This is mopping, heavy mopping or stripping of floors and things of this nature.

* * * *

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(Defendant University Exhibit R for identification received in evidence.)

B11

BY MR. STITT:

Q Mr. Shervington, earlier in your testimony we discussed certain sections, if I may use that term, where maids do the emptying of waste baskets, and I believe you told us about Journalism and Chandler and Havemeyer.

I ask you, are there any other areas of the University where heavy cleaners as opposed to light cleaners attend to the emptying of waste baskets or trash receptacles?

A Avery, the 600 floor level, we get an enormous

amount of trash there which requires--very heavy. I have to send a heavy cleaner up to get that out of there.

Q What sort of trash is up there?

A Basically drawings, you know. We get a lot of that, architectural drawings. That is bulk. That is very heavy.

MS. GOODMAN: Objection to "it is very heavy."

THE COURT: How much does it weigh? Do you have any idea?

THE WITNESS: Well, I would say maybe off the entire floor you would get maybe three to 400 pounds of paper.

THE COURT: Go ahead.

BY MR. STITT:

Q Do you have a similar situation at the law school?

A Law school? Yes, I do. On the 700 floor, we have what they call a duplicating area there, or printing, printing.

Q A print shop of some sort?

A Print shop, yes. I think it is for the Law Reveiw. This is also very heavy. We get a lot of paper out of there. This has to be taken care of by one of the men assigned to the cleaning of the rest rooms.

Q Do you recall his name?

A This is Solis.

Q S-o-l-i-s?

A Solis, yes.

Q Mr. Shervington, I've placed before you three documents, labeled Exhibits O, P and Q for identification. Can you tell me what they are?

A These are floor machines, the use of floor machines and the procedure for stripping of floors and for buffing of floors.

Q Can you tell me.when those statements were prepared, Mr. Shervington?

A Well, this was commenced when we were making up a training program.

Q And back when was this?

A About '61, '62, somewhere around there.

We have Mr. Anderson, Claude Anderson, a school teacher. He never had anything to do with this type of cleaning or anything, nothing of this at all, he never knew anything about it, and he was given the task of writing it up. But he didn't know the procedure or how to use a machine himself.

What he relied upon was myself, Mr. McCoy, Mr. Quinlaven and Mr. Thomas. We got together on this thing here and the information, what he really wanted, how to do something. We would go through the procedure of showing

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him how it is done, and from trade magazines and everything. All the information he got through us.

Q Is it your testimony that you participated in the preparation of these documents?

A Oh, yes.

Q And do you find copies of them in any manual or loose leaf material in front of you?

A Yes. I have a copy of it here myself.

Q What is that publication that you have before you?

A This is the original training program for service employees at Columbia University.

Q Does that have a date on it?

A 1965.

Q Can you tell us what use, if any, was made of those three exhibits before you, O, P and Q?

A I beg your pardon? The use of them?

Q Yes.

A Well, the methods--this is the type of thing we use for the training of a person.

Q How to use this floor machine?

A How to use a floor machine. I, myself, would say--I never used the floor machine before going to the University and somebody taught me, you know. But what we try to do is, here, we try to have it established to a point that a person

thoroughly understands what that machine is and what it can do. And we try to show him that it is something which not anybody can use it, it takes a certain amount of skill.

MR. BERKE: Objection, your Honor.

MR. STITT: All right.

MR. BERKE: I move to strike that answer.

THE COURT: Yes, I think I discussed that with you.

Q Just addressing ourselves to those three exhibits in front of you, do I understand that those three documents were prepared at the University?

A That's correct.

Q And do I understand that they have been included in the manual which is in front of you?

A Yes. This is from the manual.

Q And that manual is still in your care and still in your use?

A Oh, yes.

MR. STITT: Your Honor, I submit that Exhibits O, P and Q have now been authenticated as records prepared in the course of business, and I offer them.

* * * * [2004]

THE COURT: I will admit Exhibit O except for the very last sentence on the first page of that exhibit, which reads, "Operating a floor machine expertly takes skill and practice."

With that deleted, Exhibit O will be received.

(Defendant University Exhibit O for identification was received in evidence.)

THE COURT: I will admit Exhibit P.

(Defendant University Exhibit P for identification was received in evidence.)

THE COURT: And I will admit Exhibit Q.

(Defendant University Exhibit Q for identification was received in evidence.)

BY MR. STITT:

Q Mr. Shervington, have you used these floor machines or similar machines as part of your duties at Columbia?

A When I was a janitor.

Q Over what period of time did you use these machines?

A About seven, eight years.

Q And have you instructed anyone else at Columbia in the use of these machines?

A Various times. During the training session, I would be looking on, and if I seen somebody, you know, I didn't like the way it was being done or presented, I would show the gentleman, or somebody, because sometimes people get frightened of the machine.

Q Over what period of time have you given such instruction?

A Over many years.

* * * *

THE COURT: How many hours have you run this [2007]
machine?

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THE WITNESS: I couldn't calculate the amount of hours I ran this machine.

THE COURT: During the time you were a janitor, how many hours a week did you run it?

THE WITNESS: Maybe 12, 15 hours a week.

THE COURT: And how many years were you a janitor?

THE WITNESS: I was a janitor eight years, sir.

THE COURT: All right. The objection is overruled. The man is an expert in the use of the machine.

Mr. Berke, do you seriously contend that any man who has run a machine 12 hours a week, 52 weeks a year for eight years doesn't know how to run a machine and assess what the factors are that go into running it?

MR. BERKE: I seriously contend that a gentleman with Mr. Shervington's experience is not competent to testify on the skill involved in running the machine.

THE COURT: Your objection is overruled.

* * * *

BY MR. STITT:

Q Would you tell us what factors are involved, in your opinion, in order to become proficient in the use of a floor machine?

A Well, the running of a machine--a person could master, say, operating it, standing, just how he is taught. Some throw the cord across the shoulder. You instruct him that the machine is to be held at a level point, pull the switch and she'll run at a level position. If you push down on it, she'll go to the right.

This is something that is very difficult because most people get frightened of the machine because the machine starts to move, and they get frightened of it. And what we try to do is get the person to understand the up and down motion of the machine, the movement of it, so that he knows that whenever he has a stripping, how a floor should be stripped.

It is the not the point of saying take a machine and run it across the floor and that's it. The floor has to be stripped. The floor has to be basically clean. And this is primarily what you have to teach him. You have to teach him to remove the finish from the floor to give you a clean floor.

After all, you can't put finish down if the solution

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is not picked up properly. You can't put finish on top, because maybe in about a month or two it begins to break up, powder, on the floor because the solution is still on the floor. The floor has to be absolutely cleaned, rinsed and cleaned.

Q Is there any sense of touch or coordination that is required in the proficient use of these machines?

A Yes.

Q Will you explain that to us?

A By handling a machine, you got your hands on it, you got the feel of it and you know exactly what the machine is doing, because you are in command of the machine.

Q Can't everyone learn that?

A No, not everyone. I have trouble with a lot of people with it.

Q And what are the tasks that these machines are used for?

A They are primarily used for rug shampooing, if they have the tank, which is a solution tank, or they are used for buffing or stripping purposes. Each one of these things have a different type of pad to be used.

Q Are there different types of motions or patterns that must be used with the machine to perform these tasks?

A Yes. Well, on any floor, I mean a person, say,

traveling down a corridor would go this way and that way (indicating), but the fact is that--

Q Going horizontal as he is backing down the corridor?

A Yes, going right down. Normally what happens is that most floors are not that level, and you have pockets in them, and what we try to do is box the situation. You box it. The area that you went over this way here, you box it the other way.

Q First you go over horizontal and then vertical?

A Right. This way we get all the necessary solution, finish off the floor.

Q Did you observe Mrs. Moss when she was using this machine during her training period, in or about September, 1972?

A Mrs. Moss was very good. She was really very good.

Q What did you observe about her technique?

A She had a certain amount of--a knack for it. She had a knack for it. She had a patient way of controlling the machine. I had others that didn't do so well. But she was very good.

Q Is that a matter of molding the person to the machine?

A That's right.

* * * *

XXX

CROSS EXAMINATION [2013]

BY MISS GOODMAN:

* * * * [2029]

Q You have testified at length before as to each building. I would like to go through some of those with you again.

[2030]

cmjp 85 Shervington-cross

You testified that there are 11 light cleaners in Butler Hall; is that right?

A Butler Library.

Q Butler Library, excuse me. And five heavy cleaners?

A That's correct.

Q Can you tell us how large Butler Library is?

A Butler Library, 329,000 square feet.

Q What does that mean in--a square block, does that mean? How many floors does it mean?

A That's the architectural layout of the building. The amount of space that the building occupies.

Q That is 300--

A 329,000 square feet.

Q A large building?

A Oh, yes. Very large.

Q And the maids clean 329,000 square feet?

A No.

THE COURT: Now, I will sustain objection to that.

Q The maids clean the internal areas of that building?

A Portions of it.

Q Could you tell us what portions do they clean?

A The majority of the areas that are covered by the light cleaners in Butler is library areas, reading rooms, offices.

Q What percentage of the building is taken up by library areas, reading areas and offices?

A About 80 per cent--or 75 per cent of the building. We have other, you know, air ducts and power rooms and stuff like that.

Q About 80 per cent of it?

A Yes.

Q How many toilets are there in that building other than in the cubicles, in the cubicles?

A Are you talking about the cubicles?

Q I'm talking about the one-holers, the bathrooms with one--

A The exterior of the building--what I mean, the outside--where you walk in the main door, that's six flights. We have stack areas which runs about 16 stacks.

Q 16 stacks on each floor?

A No, no. It's 16 stacks inside the building.

Q And each one of those stacks has a bathroom?

A Yes.

Q So in total, there are 16 bathrooms?

A Yes.

Q And the women who clean those cubicle areas, the stack areas, clean those bathrooms?

A Those are the private toilets.

Q But the women clean those?

A Yes.

Q You say about 10,000 people come through the area?

A Oh, yes. More than that.

Q And they use the library area?

A Yes.

Q And the library area is where the women clean?

A That's correct.

Q And some of them use the stack area?

A Yes.

Q And the stack area is where the women clean?

A Oh, yes.

Q And in Butler, the women empty trash cans?

A That's correct.

Q And that is trash from 10,000 people going through a day?

THE COURT: That doesn't get us a meaningful answer, Miss Goodman.

MR. STITT: I will object to that, your Honor.

THE COURT: Sustained.

Q You testified as to Castle Italiana. There is one light cleaner there?

A That's correct, she's part time.

Q What does she do in her four hours?

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A Her job comprises the same thing, dusting, dust mopping of the floors, things of this nature. Removal of waste, removing spots from walls.

Q How many floors are in that?

A I think she has the--she has the library area and the sixth and the seventh. This is done on the alternate basis.

Q How many floors are there in Castle Italiana?

A Seven stories.

Q Is she responsible for all seven stories?

A No, she's not.

Q What is she responsible for?

A I believe she's responsible for the fourth floor, the sixth and seventh.

Q And she does those every night?

A She does those every morning.

Q Or, every morning?

A Yes.

Q How many rooms are there on the fourth, sixth and seventh floors?

A I would say about 18 on a floor. About 18 on a floor.

Q 18--

A This is not the library area. The library area

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is open.

Q So it is 18 rooms per floor plus a library. Nobody else does that with her?

A Well, there is--

Q On those floors?

A No. This is done on an alternate--

Q On those--

MR. STITT: If your Honor please, the wtiness is not being permitted to answer.

MISS GOODMAN: Your Honor, I think I asked the question, those floors--

THE COURT: You may finish, please. Mr. Shervington, you may finish.

A She has all these rooms, but it's done on an alternate basis. It's not something that's done every day. What we have, we have to work out a system because the fact is that she has, say the sixth or the seventh floor, she will pick the trash up on the seventh floor, empty the ash trays, and she does not do any dusting or anything, but she will do that prior to that on the sixth floor. The library is an area which is a public area which has to be attended to daily.

Q Does she vacuum in the library?

A I don't think we have any carpet in the Castle

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Italiana. No carpet.

Q Dust mopping?

A Dust mopping.

Q How large is the library?

A About 7,000 square feet, if my calculation is correct.

Q 7,000, about 7,000 square feet is your best estimate?

A About that.

Q Chapel, can you describe that building to me?

A We have what we call the nave, we have--I'll put it in terms--we have the main floor where the sermon is given, things of this nature, and we also have a lower floor which holds different activities. That's just two floors in there. And we have balconies on the sides.

Q And you have one heavy cleaner that cleans those two floors?

A That's correct.

Q He spends the whole night?

A No, he doesn't.

Q About what part of the night?

A Half of his time is divided between that and East Hall.

Q That reminds me, when you mentioned balcony,

Butler Hall--balcony, library, excuse me, is there a mezzanine area there?

A Yes, there is. On the 100 level going up off the side there. We also have some on the western part, on the west section of the building also. But there's not office areas, this is a small area.

Q And the maids clean up there?

A Yes, absolutely.

Q Are there elevators that go up to the mezzanine?

A No, there isn't.

Q How high is it up to the mezzanine?

A I would say approximately 14 steps.

Q Chandler Hall, is it Chandler Hall?

A That's correct.

Q That is a chemistry building?

A That's correct.

Q You said there were three heavy cleaners?

A Yes.

Q And two light cleaners?

A That's correct.

Q How many floors are there in Chandler Hall?

A Nine stories.

Q And the light cleaners clean on all nine stories?

A No.

Q Which stories do they clean on?

A I have Mrs. June Isabel, seventh, eighth and ninth floor; Mrs. Seibert takes care of office areas, second, third, the library on the fourth floor and office areas on the fifth and sixth.

Q Who is the third person?

A That's only two I said. Only two light cleaners.

Q I'm sorry, your're right. I'm sorry.

Mrs. Isabel has only two floors, how many rooms are there on these floors?

A Mrs. Isabel has three floors.

Q How many rooms on those floors?

A In Chandler I'd say about 14--there's 17 rooms on a floor.

Q About 51 rooms altogether?

A That's correct.

Q Some of them are classrooms?

A When you use the term "classrooms," you mean a room where they give instructions?

Q Yes.

A No, these are lab classes where they give instructions in the laboratory.

Q They're all labs that she cleans?

A It's not all labs. I said most, the majority of

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these rooms in her area are offices. They have some labs there on the floor which I used for the graduate students and the graduate students probably--he has his office there with his apparatus and everything that he works on.

Q In any event, Mrs. Isabel cleans those labs along with the office?

A Yes. What she does actually when she goes in there is just, all she can do is just dust mop the floor and his desk. She can't touch anything else.

Q It is valuable equipment?

A No, it's things that, there's chemicals laying around on the tables and we don't allow them to touch any of that.

Q Because it's dangerous?

A Well, it could be.

Q Well, what--

A Well, a person like myself I don't know anything about chemistry. I wouldn't venture to touch it.

Q About how large are those laboratories?

A They vary with the floor plan. Some would run maybe 750 square feet, or to 900 square feet or down to 350 square feet. It all depends on the location of the room on the floor.

Q How many square feet are there on a whole floor?

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A The square footage on the whole floor, what building in particular?

Q Chandler. We are still on Chandler.

A Chandler? About 18 to 20,000. I might be a little off there somewhere along the line.

Q Doesn't Mrs. Isabel also dust mop the corridor there, or some corridors?

A Yes, this is done with a treated mop, a treated dust mop.

Q She dust mops the corridor?

A Yes.

Q How many feet, how long would the corridor be? I have difficulty dealing with 17, 18,000 square feet.

A About, maybe about 5,000.

Q 5,000 feet?

A 5,000 square feet.

Q 5,000 square feet would be the corridor.

A The corridors, about 5,000.

Q That is done every night, isn't it?

A Yes.

Q You said Miss Seibert has the second, the third, the fourth, the fifth and sixth floors?

A That's correct.

Q How many rooms are there on the second floor?

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A What Mrs. Seibert has?

Q Yes.

A There's five offices on the second floor, on the third floor she has about four more office areas, and on the fourth floor it's the library, and on the fifth floor, I think there's only--there's about three offices on the fifth floor, and on the sixth floor there's about four. I might be off a little, one or two off.

Q Are these similar offices to the ones you described before that some of them are attached to laboratories?

A No, these are just offices.

Q How large are these offices?

A Well, they vary in size. Some of them are about across from this room, from that wall to just about where this gentleman is sitting (indicating).

Q What is that, about 20 feet?

A Yes. Or less.

Q And how about the other way?

A Well, they are about that wide. Just what I said, about that wide.

Q How many desks might there be in each one?

A One desk, three file cabinets, or bookshelves and things of this sort. It's probably occupied by--one person occupies it. Some offices have two.

Q So that would be two desks, then?

A Some of them have two desks.

Q Do they have carpets or rugs?

A Some have carpet, others have resilient floors.

Q Does Mr. Seibert vacuum those carpets?

A Yes, she does.

Q Do you know which vacuum cleaner she uses?

A She uses a 334 Hoover.

Q How much does that weigh?

A The 334 weighs about 17 pounds.

Q Are there carpets to be vacuumed by Mrs. Seibert on every floor that she works on?

A No.

Q On which floors?

A I'd say the second, third, fifth and sixth.

Q And Mrs. Seibert also dust mops corridors?

A Not on her section.

Q Does she dust mop in any place?

A Just where she has resilient floors in the offices. Not in the corridors.

Q The library that she cleans, how large is that? Is that a whole floor?

A No, it's not. It's about three-quarters.

Q Three-quarters of the floor?

A Yes.

Q And a floor is about 20,000 square feet?

A Yes. It takes up an area maybe about 5,000, 6,000 square feet.

Q That's not three-quarters of the floor.

A Well, we have office areas and--

Q Does she clean the offices along with the library?

A That's right, whatever is on that floor.

Q So the offices plus the library is about at least 15,000 square feet?

A No.

Q What is the--

MR. STITT: The witness has nodded no to that.

Q Well, what else is on the floor besides what Mrs. Seibert cleans?

A Well, there are some laboratories there.

Q Does she clean those?

A Well, certain ones she does. The supervisor doesn't let her go in those areas. Sometime they are off limits to us. There's certain type of work going on in these places you can't get into them. They won't let us in them.

Q Everything that can be cleaned, though, on the fourth floor she cleans?

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A Yes, that's correct.

Q In Havemeyer, are there three heavy cleaners in Havemeyer and three light cleaners?

A That's correct.

Q That's also a chemistry building?

A That's correct.

Q How large is that?

A The building itself?

Q Yes.

A About 79,000. Abo8t 79,000 square feet.

Q How high is it?

A Six stories.

Q And what do the light cleaners do there?

A The light cleaners in Havemeyer are responsible for--

Q No, no. Tell me--

MR. STITT: If your Honor please, the witness is in the middle of an answer.

THE COURT: Yes, I think so.

THE WITNESS: Pardon me?

THE COURT: Keep going, Mr. Shervington.

THE WITNESS: What was your question?

MR. STITT: No, continue with your--

THE COURT: You said they were responsible for,

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and then--

MISS GOODMAN: If I may interrupt for a moment, your Honor--

THE COURT: No, you may not interrupt for a moment. You put a question and he started to answer.

MISS GOODMAN: I believe he is not answering my question. I asked what they do.

THE COURT: We will strike it if it is not responsive.

A (Continuing) Light cleaners in Havemeyer are responsible for office areas, classrooms, things of this nature.

Q What does each one of the light cleaners in Havemeyer do?

A First of all, she just dusts--

Q Let me try to--

MR. STITT: If your Honor please, we get a question put to the witness, he begins to answer, then it is interrupted.

THE COURT: What does each person do, Mr. Shervington? Go ahead.

THE WITNESS: Well, we'll take the light cleaner first, sir.

THE COURT: All right, go ahead.

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THE WITNESS: The light cleaners are responsible for the dusting of offices and the dust mopping of floors in offices. They are responsible for the cleaning of the classrooms, which means dust mopping or sweeping of these classrooms. This is approximately what they do.

Q Do you know Louise Stamp?

A Louise Stamp? Yes, I do. She works on the fifth and sixth floors in Havemeyer, I believe.

Q Does she have some other work in Havemeyer?

A Yes, that's in the lecture hall in 309.

Q How many labs does she clean?

A Labs?

Q Yes.

A I think we're getting into something which I have to explain, can I explain it, sir?

THE COURT: Is this to answer the question?

THE WITNESS: Yes, sir.

THE COURT: All right, you answer it your way.

A What we are referring to is labs. These are graduate students who have their office in these places. Their apparatus is there, the table and things of this nature. It's not like the labs you would find at the other end of the hall which are classroom labs. They are entirely different. They are entirely different. They are doing

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different type of research work or something of this nature.

MISS GOODMAN: May I move that that all be struck as unresponsive? I asked whether she cleans these four labs. Well, may I have my question--

THE COURT: No, overruled. I will allow it to stand because he described what the labs are that she cleans.

Overruled. Go ahead.

Q How large are the labs that she cleans?

THE COURT: Well, it is the places that she cleans. He says that he doesn't consider it to be a lab, he considers it to be graduate students' work area.

Q What type of graduate students are these?

A Chemistry.

THE COURT: We have been through that.

Q Chemistry. What is in this work area that they have?

A Well, they have certain apparatus which I don't know what they are.

Q Are they what you usually see in labs?

A Yes. Well, glasswork and things of that nature.

Q So that the major difference between these and the classroom labs is that these are somewhat smaller?

A Yes, but she doesn't touch anything in there outside of the floor. She has no dusting or anything to do

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beside his desk or something of this nature. Where any apparatus or anything lies they are told to stay away from that.

Q Is anybody on the service staff allowed to work on the laboratory desk?

A No.

Q The janitors aren't allowed to either?

A Oh, no. That's out.

Q How many lecture halls does Miss Stamp clean?

A Mrs. Stamp works with the other cleaners in the lecture rooms. She has, I believe, the top part of room 309 which has about--about 329 seats in there.

Q How many light cleaners clean in 309?

A Two.

Q What other lecture halls does she clean?

A I believe this is the only one Mrs. Stamp comes down on.

Q How large is that lecture hall in square feet?

A I have to take a guess at that, and I don't think I should try that.

Q Could you estimate?

A It's over 3,000. It's over 3,000 square feet.

Q And these two women, light cleaners, clean all the chairs in the lecture hall?

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A They're responsible for the dust mopping and the dusting in that room.

Q Is this like a--

A An amphitheater.

Q It is raised?

A Correct.

Q So approximately how many raised levels are there as you go up?

A There's two raised levels. You have the--wait a minute. When I say--it's like a theater, you know.

Q Yes.

A And on each row there's a row of seats up, up another step, there's another row of seats.

Q How many rows are there like that?

A About ten rows.

Q And they dust mop each row?

A Between the seats all the way to the steps, then they bring it down.

Q So, would it be fair to say that they go up one row, dust mop across that whole row, come up, then come back the whole row?

A They go to the top and start down.

Q They start down. But the same process in starting down, they sweep across a row?

A Sweep across a row, come down, sweep across another row and come down.

Q From one end of the row to the other end, how long is it? Approximately?

A Well, you have two staircases going up into the lecture hall, so the lecture hall more or less is divided into three sections.

Q Do they sweep across through all three sections?

A No, they generally, what they generally do is they bring it to the step and they continue on the other side and bring it back to the step. So everything comes to the step so it all finally goes down, they bring it down that way.

Q About how many times do you think they go back and forth in doing that?

A You mean back and forth through the aisles?

Q Yes.

A Once. A person would start at that end and come right straight across.

Q That's what I'm saying, so they go right across all three?

A Not all three.

Q Two?

A Then she would stop and continue on the other side

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to bring the trash and everything to the staircase that can be easily manipulated and taken down. But they don't go back and forth up the stairs.

B5 Q There are two other women night cleaners in that building that do what Miss Stamp does. What are the names of the other two, do you recall?

A Mrs. Robinson and Mrs. Ruby Johnson.

Q How many floors does Mrs. Robinson do?

A Mrs. Robinson takes care of 311. This is the--

THE COURT: Just a minute. Mr. Shervington, hold on a minute.

THE WITNESS: Yes, sir.

THE COURT: Miss Goodman, may I ask what the purpose of this examination is? Now, these names involve people that you had here. They testified in detail as to what they did. Is there any purpose in going through this all over again with this gentleman?

MISS GOODMAN: I think Miss Johnson and the other person that he mentioned have not testified, that's first of all.

Secondly, we have been given a--

THE COURT: Wasn't there a Mrs. Robinson that testified--

MISS LIBOW: It's not the same one.

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MISS GOODMAN: This is a different one.

THE COURT: Well, anyway isn't it cumulative? I sat here and listened to an amphitheater being cleaned row by row and I don't feel that it added a single bit to the store of knowledge that is necessary to resolve this case.

MISS GOODMAN: Your Honor, we went through this morning on direct examination detail as to what each heavy cleaner did and then we were told, well, all the women do is they just dust mop or clean offices. We would like to establish for you the number of offices, the size, how long a corridor they might have to walk, and later we will talk about some of the equipment that maybe they are carrying with them.

THE COURT: Well, why don't you get to these things that you claim are distinguishable?

MISS GOODMAN: We are not saying that--

THE COURT: For three weeks now, we have established that they do walk down corridors, they do clean corridors, they do sweep.

MISS GOODMAN: I think today is the first time we have had an opportunity to see how large Butler Library is and how much of an area is really being covered.

THE COURT: That has nothing to do with it.

MISS GOODMAN: Your Honor, we believe that is part of the--

THE COURT: You take an area and it either takes one person or it takes five people and it is a question of whether the five are doing the equal work of the men or they're not doing the equal work of the men.

MISS GOODMAN: But we are trying to show equal skill and responsibility and effort.

THE COURT: Very good.

MISS GOODMAN: If we may say so, effort goes into how large an area you cover as well as--

THE COURT: It has to do with what an individual person does, not the overall size of the building, whether the Butler Library has 300,000 square feet or 50,000 square feet, it depends on how long a person spends on their little bailiwick.

MISS GOODMAN: You are saying a little bailiwick, and I'm saying that--

THE COURT: You know what I mean when I say "little bailiwick." Let's not fence with me. A woman has a certain assignment, and if it is a big building, they have five women, if it is a small building, they have two, what difference does it make?

MISS GOODMAN: Each floor is 20,000 square feet--

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THE COURT: Well, I find this going into this testimony about how you sweep an amphitheater, I regard this frankly as an improper use of time in the United States District Court at this stage of this trial.

Now, if you can give me some reason for going into this in this detail at this time, I would be glad to let you do it. I probably am going to have to let you do it anyway because you are going to say it has some bearing. But I honestly don't see it.

MISS GOODMAN: Well, we believe that goes into the makeup of how heavy a woman's job is. We have not had prior testimony--

THE COURT: I know, but for example, you had Mrs. Stamp testify here, I heard her. You spent ten minutes now with this gentleman saying what Mrs. Stamp did. I don't really yet understand the purpose of it. It doesn't attack his credibility, it isn't to attack his credibility, it doesn't add anything to what Mrs. Stamp said. I just got her work from a different source.

MISS GOODMAN: Well, it does corroborate her testimony anyhow.

THE COURT: Go ahead.

MISS GOODMAN: I would like to continue through each building and to establish at least the size, and we

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will try to do it more rapidly.

THE COURT: What I would like to get in hand as the tryer of the facts here, I want to get from each of you counsel out of the various witnesses, I want to get the elements that are required to decide the case. That is what I am looking for. I am charged with the job of deciding this and I want to get from you the things you feel are really important in making this decision.

Now, I don't feel that after three weeks trial how somebody sweeps an amphitheater is important any longer.

MISS GOODMAN: Well, it was important to--

THE COURT: Because it has been testified to by so many people. Go ahead, Miss Goodman.

BY MISS GOODMAN:

Q Dodge, there are three light cleaners?

A Yes.

Q And four heavy cleaners?

A That's correct.

Q You testified that one heavy cleaner cleans the rest rooms and the corridors?

A That's correct.

Q And one heavy cleaner cleans the staircase and does the trash?

A That's correct.

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Q What do the other two heavy cleaners do?

A We have what's called assignments project work. As I explained before, this type of work is a lot of things to be done. Staircase, walls to be washed, corridor walls to be washed. There's scrubbing to be done, high dusting to be done. There's venetian blinds to be cleaned. All these things are the element of cleaning a building, of trying to do a thorough job on a floor.

These things are essential. They have to be done. Lights have to be cleaned, taken down and cleaned. This is time consuming.

Q Do the men at night take down the lights and clean them?

A Oh, certainly.

Q Do the--

A It can't be done in the day because you have people around there.

Q Then the heavy cleaner that does the rest rooms and the one that does the staircase does not do these other jobs as a routine part of their work?

A He is assigned to these areas. Cleaning of a rest room is something which a person, it's a nightly job, it has to be done. It's something that you can't take him away from it, it has to be done.

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Q So they do that every night?

A Yes.

Q And therefore, they don't scrub because the project man is doing that?

A It all depends. If you want to, and we do this sometimes, we replace him with someone else and we assign him to scrubbing or something like that.

Q Who cleans the bathroom then?

A Well, we assign someone else, or something like that.

Q That's not very practical.

A They are interchangeable.

Q But as an ordinary thing, those two heavy cleaners stick with their job?

A Yes, we try to keep them there.

Q You testified as to the Engineering Terrace and Mudd, there are six light cleaners there?

A That's correct.

Q And five heavy cleaners?

A That's correct.

Q Could you tell me for each one of the light cleaners how many floors do they have to clean, how large are those floors and what are the types of room that those women are cleaning?

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A Engineering Terrace is comprised of labs, laboratories, classrooms, seminar rooms and offices. The majority of it is offices. And this is mostly what the light cleaners have to do. Their job is to be responsible for the dusting of these areas, dust mopping of the floors, the removal of the trash and wall spotting.

Q To ask the question again, for each one, each one of the maids, what is her assignment? There are six of them, do they have one floor, two floors, three floors--

A Two floors. The breakdown is two floors, but you must understand these floors are done on an alternate basis. They are not done, as I explained before--

MISS GOODMAN: Your Honor, if I can move at this point to strike that--

MR. STITT: If your Honor please, the witness is in the middle of an answer.

THE COURT: Let him finish his answer.

MISS GOODMAN: That can be taken on redirect, I believe.

THE COURT: Let me hear the question and how the answer started.

(Question and answer read.)

THE COURT: No, the witness may continue. That is what their assignment is, he is explaining what their

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assignment is. [2058]

Go ahead, Mr. Shervington.

A (Continuing) We have to work it out that the floor is done on an alternate basis. Say for instance the maid who had the third floor would have the thirteenth floor. The thirteenth floor is comprised generally of all offices in that area. So, today she'll go up and she'll just dump the ask trays and the waste and she removes herself from the floor. She does nothing else. She will go back to the third floor where she gives this floor a general cleaning. That means that the furniture, the furniture is dusted, window sills, desks. all this here would be done. This is giving the rooms their general cleaning.

B6

Q How many floors are there in Engineering Terrace?

A Thirteen.

Q How many floors are there in Mudd?

A May I say something? It's Engineering Terrace.

Q Yes.

A Well, we are talking about Mudd now?

Q Yes.

A Mudd Building?

Q Yes. I thought before you said--

A Engineering Terrace.

Q Yes.

A Well, Engineering Terrace is comprised of Mudd and Terrace Building.

Q I see. In the Terrace Building, how many floors are there?

A Four floors.

Q And in Mudd, how many floors are there?

A Thirteen.

Q Which floors are maids assigned to?

A Maids are assigned to all floors.

Q And there are six maids between those two buildings?

A That's correct.

Q So then they must be doing more than two floors.

A Just two floors.

Q That's twelve floors. You told me there are thirteen and four floors.

A Over in the Terrace Building, I have the maid who is in the Terrace Building comes over to the Mudd Building and she has a floor over there.

Q So she has one in Terrace, then she walks over to Mudd. How far are they from each other?

A Just across the hall.

Q Across the hall. And she does one in Mudd?

A That's correct.

Q Okay. That's two of the 17. Does she do anything else?

MR. STITT: Two of the--

THE COURT: What is that?

MISS GOODMAN: He said there are four floors in the Terrace Building and thirteen floors in the Mudd Building.

THE WITNESS: That's right.

MISS GOODMAN: That's 17 floors.

THE COURT: I don't know that it is or not.

THE WITNESS: May I say, you're talking about now the Terrace Building, is that correct? Are you talking about Terrace?

Q Okay, let's just deal with Terrace.

A Well, Terrace Building has labs in it. Now, these labs are taken care of by a heavy cleaner. The cleaner, the light cleaner that's in this building is required to take care of the office areas and the classroom areas in that particular building.

Q How many offices and classrooms are there in that building?

A About 14 of them.

THE COURT: 14 what, Mr. Shervington?

THE WITNESS: Offices, sir.

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THE COURT: 14 offices?

THE WITNESS: Yes, sir. We have classrooms also. What she does is classrooms also.

THE COURT: How many classrooms?

THE WITNESS: About three. Three or four there in that area.

THE COURT: All right.

BY MISS GOODMAN:

Q What is the size of those classrooms?

A About 750 feet.

Q How many desks or chairs or tables are in each one of them?

A Well, that varies according to the class. They shift the tables and everything out of those rooms all the time so I can't give you a definite answer on that.

Q What is the smallest and the largest, approximately?

A They're not fixed furniture, that's what I'm trying to say. It's not stationary furniture. They come in and take them out of there. Sometime there's about 25 or maybe 30 in there, the next day you come back there, you find 15 in there. They take them some place else.

Q And the maid who is assigned there dust mops the floor?

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A These classroom areas are vacuumed.

Q She vacuums the floor?

A Yes, she vacuums the floors.

Q When she is vacuuming, she is required to move the chairs that are there?

A Yes. Well, most of the time you can get underneath them. They are similar to these chairs here (indicating).

Q She is required to move them, though?

A She can get underneath them, I mean, it's not that hard.

Q Are there desks in there?

A Pardon?

Q Are there desks?

A No, just ordinary chairs.

Q The chairs with the arm?

A The arm rests.

Q Does she also empty the waste paper baskets there?

A Yes, she does.

Q Is that done every night?

A Yes, it's done every night.

Q Is the vacuuming done every night?

A Classrooms areas are done every night. All public areas are done every night.

Q So any woman who is assigned to a classroom must

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do that classroom every night?

A That's correct.

Q The tables, or table tops in any one of these classrooms, or the chairs, are they polished?

A They are similar to this table right in front of you right now. Instructor tables for the instructors, that's the only table that's in the room.

Q Does that get polished or waxed?

A A damp cloth is used on it every night to remove the finger marks from it.

Q Every night?

A Yes, almost every night.

Q Now, that is the person who takes care of the Terrace Building. Does she do all four floors in the Terrace Building?

A No.

Q She does two of them?

A I just got through telling you, we have a certain amount of labs in there that she doesn't go into. These are big areas.

Q How many floors does she do there?

A Approximately about two floors in there. When I say floors, I mean the amount of offices on those floors is not the entire floor because it's mixed up with labs.

Q But she works on that--

A Yes, she works there.

Q Does she then have an assignment over at Mudd?

A That's correct.

Q Where does she go at Mudd?

A On the tenth floor.

Q The tenth floor?

A And she has a portion of the seventh floor.

Q Does she vacuum in Mudd?

A Certain areas on the tenth floor we do have vacuuming. We haven't got that much carpeting in the Engineering Building. Not that much.

Q But there is some on the tenth and the seventh floor that she might vacuum?

A I don't believe there's any on the seventh floor at all. There's no carpet on the seventh.

Q On the tenth?

A On the tenth, you might have a couple of offices up there, you might have them.

Q And she brings her vacuum with her from the Terrace, or does she get a new vacuum up on the tenth floor?

A No, she brings her vacuum from the Terrace.

MR. STITT: Your Honor, I wonder if this might be a good time for a recess.

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MISS GOODMAN: Your Honor, I would prefer to go through the way we are moving.

THE COURT: Mr. Stitt, what was the basis for your request?

MR. STITT: Well, the fact that Mr. Shervington has been on the witness stand for an hour and five minutes, I thought it might be an opportune time for a brief break.

THE COURT: Well, Miss Goodman, why don't you keep going for about another ten minutes and we will pick a point there. Given the rate we are going this afternoon, we may take two recesses.

BY MISS GOODMAN:

Q Fayerweather, there is one heavy cleaner, that is Mrs. Gilliam, and three light cleaners?

A That's correct.

Q Mrs. Gilliam does everything there?

THE COURT: What's that?

A Pardon?

Q She does all the janitorial chores?

MR. STITT: Objection.

THE COURT: I will sustain that. Strike any answer.

Q You testified that sometime there are garbage trucks, the nighttime garbage trucks weigh as much as 400 pounds.

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THE COURT: 800.

A 800.

Q Anywhere from 400 to 800?

A Yes.

Q Does Mrs. Gilliam take those?

A It's the job of a heavy cleaner.

Q So Mrs. Gilliam every night pushes out a truck that might weigh between four and 800 pounds?

A I wouldn't say that much. The particular building she is in is not that big and--

Q How large is it?

A About 40,000. About 40,000.

Q Square feet?

A About 40,000.

Q Does she do that by herself every night?

A Yes. The same as any other heavy cleaner does it. We assist one another, when it gets--when the load is heavy, we get them together to help each other out to the sidewalk.

Q What do you think an average load is a night in weight?

A About 300 pounds.

Q And she does that by herself?

A Well, as I say, they assist each other. They have to go up a slight incline and pushing that kind of weight up

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a slight incline is no fun.

Q So usually she does it by herself or usually with somebody else?

A Well, we have a gathering point. Everybody is instructed to be at the carpentry shop door at 6:00 a.m. in the morning, and about maybe seven or eight men there, heavy cleaners there, and they assist one another going up that ramp and going out.

Q How many might it take going up that ramp?

A It's all according to how heavy that cart is.

Q So sometimes you might use two?

A Two is probably the highest. Some people just roll it up themselves.

THE COURT: Mr. Shervington, tell me about this gathering point at 6:00 in the morning. What happens? All of these garbage trucks--

THE WITNESS: Well, we all converge on this area.

THE COURT: This is where you have an arrangement with the Sanitation Department of the City of New York?

THE WITNESS: No, sir, this is for security reasons, we all meet at a certain point and it all goes out at once so the door can be locked and secured. And it's all put onto the sidewalk at one point. See, this way we don't have no stragglers, for security reasons.

THE COURT: I see. How did everybody get to this point?

THE WITNESS: Well, we come through the tunnel area, sir.

THE COURT: The tunnels under all these buildings?

THE WITNESS: Yes, under Fayerweather, Avery, all these buildings we have tunnels there they come through that way.

THE COURT: Thank you. Go ahead.

BY MISS GOODMAN:

Q When they are gathered there, are they there with their trucks or without their trucks?

A They are there with their trucks. They bring their trucks with them.

Q How many floors is Fayerweather?

A Six floors, I believe. Yes, six.

Q And each light cleaner has two floors, would that be proper to assume?

A Yes.

Q What type of rooms are they?

A The majority of the rooms in Fayerweather above the 400 level are all offices.

Q I'm sorry, when you say 400 level, that means the fourth floor?

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A Fourth floor. On the 300 level, we have three classrooms and a lounge on that floor.

Q How about the other two floors?

A The floor down below we have 200 level, there's a large drafting room and offices and certain seminar rooms we have down there. And a couple of offices on that area, too.

Q What is a large drafting room--

A This is architectural. For the architect's school.

Q Who empties waste paper baskets in there?

A This area here is done by the light cleaner.

Q How large is the drafting room?

A About 850 square feet.

Q Are there chairs there, desks there?

A No, they have regular set up drafting tables. They are a little different than the group over in Avery. We don't have that many tables in that room.

Q This is cleaned every night, it's one of those public areas that is cleaned every night?

A This is a classroom and it has to be done every night.

Q You testified that that drafting paper produces heavy bulk, garbage.

A Yes.

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Q In the Journalism Building, there are three light cleaners and three heavy cleaners?

A That's correct.

Q How large is the Journalism Building, how many floors?

A Seven floors--eight floors with the attic, but this is where we have fans and everything, see, it's not necessary, we don't go up in that area.

Q How many square feet?

A Journalism, I'm confused between Journalism and Dodge. It's about 70,000.

Q How many square feet on a floor?

THE COURT: If you know.

Q If you know.

A About 12,000.

Q Is it about half a block long, the building?

A No.

Q How long is it?

A It's not even a quarter. It's quite different from Butler.

Q Okay. And on each floor, there are eight floors--

A Seven floors. I said the top is used for the fans.

Q Okay. On the second floor, what type of rooms are there?

A On the second floor?

Q Yes.

A We have a large conference room, on the west end of the building, and in the center we have three office--not three offices, they have just been converted to student activities. I mean, they go in, they sit down, they receive their mail there and things of this nature. And the other end of the floor, we have what they call the Columbia Book Store which is an outside concern which I have nothing to do with.

Q Is there carpet?

A Pardon?

Q Is there carpet?

A Yes, it is.

Q Is it vacuumed every night?

A No, it's not because of the fact it's a conference room. When it's not in use, we try to put it on an alternate schedule.

THE COURT: We will take a ten minute recess at this point.

(Recess.)

THE COURT: You may proceed.

MR. STITT: Your Honor, based on estimates given to me by my adversary, I would think that Mr. Shervington's

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testimony will go until at least 4:30, and perhaps a quarter of five, and I wonder if under those circumstances whether Mr. Nye might be excused.

THE COURT: He may.

MR. STITT: Mr. Nye, you are excused for the balance of the day, sir.

MR. NYE: Thank you.

MISS GOODMAN: Can you read back the last question and answer?

(Record read.)

BY MISS GOODMAN:

Q That was the second floor you were talking about, Mr. Shervington?

A That's correct.

Q And there is one maid who cleans that every night? Cleans the rooms?

A Pardon?

Q Cleans the area that you described?

A Yes.

Q One maid.

A This maid is a person who is in the day time. Her time, she splits her time between there and other various buildings.

Q It is not cleaned every night, but it is cleaned

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every day?

A Yes.

Q And it is cleaned by a light cleaner?

A That's correct.

Q Let's go to the third floor.

How many offices, how many classrooms and how many other areas are there?

A Third floor Journalism consists of the Journalism Library, you have this group just recently moved in, I think they came from 118th Street, I really don't recall this group, but they just recently occupied those offices which were previously occupied by the Columbia news section.

On the opposite end of the building, which is the west end, we have what they call the World Room, which is a large room which they hold various functions in, meetings or gatherings of this type.

Q Are there carpets throughout this floor in some of the areas?

A This portion of the floor is all carpeted except the corridor. Except the corridor.

Q And is that carpet vacuumed by one of the maids that works in that building?

A Yes, it is. It's done by a light cleaner.

Q Every night?

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A Yes. The occasion is that whenever there is a heavy function or something. If there's not a function in there, we, what do you call it, we spot vacuum.

Q But on that floor, in general, it is vacuumed every night, not in just one room?

A No, you must understand the library will be done daily because of the fact it's a public area where we have people going in and out. The World Room is not a public room unless it's--

Q How about the offices that are there?

A They are done on an alternate schedule.

Q And the library is vacuumed every night?

A Yes, that's a public area.

Q It is dusted every night?

A Yes, it is.

Q Is it polished, in other words, waxed?

A The floor?

Q No, the tables.

A Yes, it's periodically done.

Q How often?

A As we see needed. Most of the times it's tables of this type. a damp cloth can eliminate the finger marks.

Q Would that be every night?

A Yes.

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Q The fourth floor, what kind of rooms are there?

A On the fourth floor of Journalism you have a few offices up there and you have--

Q How many offices?

A There's about five offices on that floor and you have a darkroom up there, and you have another place where they do some printing.

Q Are those rooms cleaned at night?

A Yes, they are.

Q Every night?

A They are done on an alternate schedule. Our office areas are done on an alternate schedule.

Q How about the darkroom?

A The darkroom is done, well, you see the darkroom you can't go in there and touch anything in there.

Q But somebody goes in there every night?

A The waste can is more or less left in the hall. If they require that the room be--something be done to the floor, we would send a note through the superintendent's service in the morning and he would inform me and I would go in. Because they have certain things around there they don't want anybody in there.

Q How about the fifth floor?

A The fifth floor of Journalism is all offices.

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Q How many offices?

A Well, we have a complex on the west end of the building that consists of maybe about eight or nine offices. The center of the floor leading from that door to the other end of the corridor consists of some classrooms.

Q How many classrooms?

A About two on the floor.

Q How large are the classrooms in terms of number of seats and square feet?

A There are about 750 square feet and about maybe 30 chairs in that room. These are more or less desk types. Each student there has his own typewriter and his table.

Q And that is cleaned every night?

A That's an area which requires to be cleaned every night, with the exception of the offices which are done on an alternate schedule.

Q That was the fifth floor, we are now on the sixth floor.

A We relatively have mostly the same thing on the 600 floor. Office areas, a few classrooms in these areas.

Q Are the classrooms about the same size, 30 to 40?

A Yes.

Q And also tables and chairs?

A Correct.

Q Are those classrooms vacuumed?

A Yes, certain classrooms have carpet. Others have resilient floors or linoleum.

Q Does the--

MR. STITT: If your Honor please, I would like the witness to be able to complete his answer before another question is tossed at him.

THE COURT: I would think so.

A We have certain floors that have carpet. Others have resilient or battleship linoleum.

Q And if it is carpeted, it is vacuumed?

A Classrooms would be done daily. The office areas again on an alternate schedule.

Q And it is the light cleaner who vacuums the classrooms?

A That's correct.

Q On any given night for any individual maid or light cleaner, how many offices is she dealing with in terms of it being the night that she is supposed to clean that?

A Would you mind--

Q Well, she cleans offices on an alternate basis; is that true?

A Correct.

Q How many offices, how do you alternate, how many

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offices is she given to clean every night?

A We go by floor sections. Say the 700 floor would be, she would just touch up whatever is necessary on that floor. She doesn't pick paper up or anything in those areas, and she goes to the following floor which is giv a thorough cleaning. Due to the fact that the light cleaners do not pick papers in this building--

MISS GOODMAN: Your Honor, if I could ask--

THE COURT: No, let him finish his answer.

MR. STITT: Please--

MISS GOODMAN: I believe his answer is not responsive. I asked how many offices does she clean, I did not ask about the garbage or anything else. I asked how many offices will she clean in one night.

THE COURT: He is trying to explain what she doesn't--I get the impression that he says she does a little bit in certain offices and a lot in others, and I think he is trying to explain what she does.

MISS GOODMAN: No, I think he is trying to explain what she doesn't do.

MR. STITT: If your Honor please, I would like to go back to the answer in which this witness was interrupted so that he may complete it.

THE COURT: Yes. Read the answer and we will

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consider whether or not we will strike it.

(Answer read.)

MISS GOODMAN: Would you read my question?

THE COURT: No. Go ahead, sir. Complete your answer.

THE WITNESS: This is the reason why the setup in the building itself is made in this fashion, because of the fact that they do not have to remove any trash, so that their area can be expanded upon. Because the requirement of picking up trash takes a great deal of time. And this way here they are just responsible for the offices and the classrooms.

BY MISS GOODMAN:

Q How many offices does each maid give a thorough cleaning to on any given night as a regular part of her schedule?

MR. STITT: Your Honor, I object to the use of the words "thorough cleaning."

MISS GOODMAN: That is I believe the words Mr. Shervington used, "some are just touched up and others are cleaned."

THE COURT: Why don't you explore that? You may answer.

A How many offices do they have?

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Q Yes.

A In the building of Journalism there's roughly maybe I would say about 110 offices.

Q And every night roughly half of these are cleaned?

A They are cleaned on an alternate schedule.

Q Right. So would that mean--I'm trying to define what alternate means--that would mean, would it not, that every night half of those hundred and some odd--

A Right.

Q (Continuing)--are cleaned? And the three light cleaners clean that?

A Yes, well, what I'm trying to say is--

MISS GOODMAN: Your Honor, I would ask that--

THE COURT: No. No.

MR. STITT: No.

MISS GOODMAN: (Continuing)--that he be responsive.

THE COURT: You made a statement that three light cleaners clean that and he is responding to that statement on your part.

MISS GOODMAN: Your Honor, I believe this is cross and if I ask a yes or no question I should be permitted--

We have been discussing general responsibilities and--

THE COURT: I will strike your question and any

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answer that may have been received and you may begin again.

Go ahead.

Q In describing the alternate function you have estimated that about half of the 110 offices are cleaned in a more than cursory way every night, is that true?

A That's correct.

Q The people responsible for cleaning offices are light cleaners; is that true?

A That's correct.

Q Is it true that each of the three women light cleaners assigned to Journalism clean those offices, the 50 some odd offices every night, somehow among them they clean them?

A Correct.

Q Is it sort of fairly evenly divided among them?

A That's one thing I try to do, I try to define it that each person is balanced.

Q So each person has--

THE COURT: Ten offices.

MISS GOODMAN: Ten. Thank you, your Honor.

Q Each person has approximately ten offices. And each of those offices has carpeting in it?

A No, they don't all have carpeting. Some have resilient floors in them.

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Q The ones that have carpeting are, of the approximately 18 that they clean every night, the ones that are carpeted get vacuumed that night?

A That's right, the one that's scheduled that night to be done thoroughly.

Q And if they don't have carpeting they get--

A Treated with a treated dust mop.

Q And the light cleaners do that?

A That's correct.

Q Therefore, the light cleaners are vacuuming and dust mopping every night?

A Yes.

Q In addition to the offices that they clean, the 18 some odd offices that each cleans, does each one of those light cleaners have another area that they would be responsible for?

A Well, you see what I'm trying to explain is the structure of the building itself. You take for instance the seventh floor, sixth floor, fifth floor, these are floors that are laid out completely. When you get to the fourth floor you have the darkroom which takes up a portion of the floor, and you have the balcony of the library on the 300 so that slices a certain section of that floor off because you are on the ceiling. So we have to measure the amount of

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work that they do as we go along.

Q Does a light cleaner clean up the balcony every night?

A Yes.

Q And the light cleaner also cleans up the library?

A That's right.

Q The library is cleaned every night?

A That's a public area.

Q And the light cleaner who is cleaning that library on that night is also doing 18 offices?

A Yes.

Q The Kent building, can you tell us the size of that building in height and square feet? When I say height, I mean number of stories.

A Kent Hall is about 68,000, 60 to 68,000 square feet. That is a seven-story building.

Q Let's go down. How many offices, how many classrooms, how many lecture rooms and how many seminars are there?

THE COURT: Are we going to go through building by building about--

MISS GOODMAN: Well, your Honor, we think it is important.

THE COURT: Isn't one office in one building like

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another office in another building?

MISS GOODMAN: But some buildings have more offices and some have less offices. A major point has been made about the cleaning of public areas as versus private areas, and I think that we would like to establish the number of public areas as well as other things that maids do cover. Therefore the number of classrooms--

THE COURT: It is a question of what they do in them, not how many there are.

MISS GOODMAN: Well, no, we believe it is how many there are because we believe that that also creates a heaviness too, and an extra effort required to do a job. It's certainly how large a room is. I mean, if there are 100 desks it certainly is more difficult to clean than one desk.

THE COURT: But if you have a 100 desk classroom, and let us assume one person takes all night to clean it, is there any difference in the job if you compare that with two classrooms that each have 50 seats and that another person cleans the two? What is the difference?

MISS GOODMAN: Well, it could be a different--

THE COURT: I don't care about it could be. I'm asking you what it is. Because that is really what you are focusing at with all of these questions. Let's suppose one girl, one light cleaner does 18 offices and cleans two

50 seat classrooms, and another one does 18 offices and cleans one 100 seat classrooms; is there a difference?

MISS GOODMAN: To clean those two? But how about--

THE COURT: Between those two.

MISS GOODMAN: There might not be a difference between those two, but we would claim that there might be a difference between that and what a heavy cleaner who cleans five bathrooms or one bathroom--

THE COURT: Why don't you ask him that?

MISS GOODMAN: No.

THE COURT: There I think you might be eliciting something that has some bearing upon the issues you are asking me to decide.

MISS GOODMAN: Your Honor, I think we have to establish the kind of footage and the kind of areas that the women are cleaning--

THE COURT: But you have already been doing that for two hours, or an hour at this point. You have already done that. They do offices, they do classrooms, they do corridors. I have heard the words "resilient floors" versus "carpet" now half a dozen times. Please.

BY MISS GOODMAN:

Q In Kent there are two heavy cleaners; is that true?

A Yes.

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Q And there is one bathroom to be cleaned in that area?

A Beg pardon?

Q There is one bathroom you testified to be cleaned in that area?

A In Kent?

Q Yes.

A I don't think I was correct in saying that. In Kent?

Q Yes. How many are there?

A There is six.

Q Rooms?

A Six rest rooms.

Q And how many men clean the rest rooms?

A Well, the gentleman who cleans these rest rooms, his time is divided between Earle Hall, after he leaves--

MISS GOODMAN: Your Honor, I suggest that this is not responsive. I asked how many men--

MR. STITT: Your Honor, this is perfectly responsive.

MISS GOODMAN: (Continuing)--clean the rest rooms.

THE COURT: He is trying to tell you. You have apparently one man who splits his time with another building. That is what his answer to you is.

Q So one man cleans the rest rooms; is that the answer?

A Yes.

MR. STITT: Your Honor, if your Honor please, he was right in the middle of an answer and I ask that he be permitted to complete it.

Q He cleans six rest rooms?

A That's correct.

Q And how many bathrooms, how many toilets in each one of these?

A Well, we have down on the bursar's section, 200 level, that's the large one. There's six stalls.

Q Men's room or women's room?

A Women's room.

Q And the other, the size of the other?

A We have a men's room on the opposite end of that floor, I think there's about the same comparable amount of stalls in that one.

Q And the other floor?

A The other floors you have about five stalls in each.

Q Only one man does this, that's your testimony?

A That's correct.

Q And that man then moves to another building and also cleans the bathrooms?

A His first tour of duty will be that he goes to Earle Hall which has a ladies' and men's room which he cleans, also he wet mops the corridor. Then he returns to Kent building and then he takes up the duties in Kent building.

Q And he cleans six bathrooms?

A Right.

Q And one man wet mops the staircases?

A That's correct.

Q Does he wet mop the staircases every night?

A Yes.

Q And the third man does what?

A Well, we mostly assign to project work. This is a very heavy area, traffic area. Floors have to be attended to much more than any other section of the building down there, Kent.

Q That type of building is it?

A Well, we house the Chinese Department and the University Bursar and Registrar's Office are in that whole complex there.

Q Is a light cleaner assigned to the Bursar's Office?

A Yes, she is.

Q That's a heavily trafficked area you just said. She dust mops?

A She dust mops. It's a resilient floor.

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Q And she does desks?

A She dusts desks.

Q How large an area?

A Well, this is divided between another person.

Q Two light cleaners together do it?

A Yes, actually there's two light cleaners in that section.

Q Is the third light cleaner doing the whole rest of the building?

MR. STITT: I object to the form of that question.

THE COURT: Yes, sustained.

Q What does the third light cleaner do?

A The third light cleaner is required to do the library and also remove herself upstairs to another section. She has another section.

Q What kind of section is it?

A Office areas, which is anything above the 400 level is mostly offices in which we put these areas on alternate schedules. This is the reason why we have this kind of--

Q How many offices are there operating above the 400 floor, or is that on the 400 and up, or--

A 400 up. You have also some classrooms on that floor, too, and you might have some seminar rooms in between.

Q How many of each?

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A Well, you might have about two seminars, maybe about four classrooms and about 18, or maybe--14 to 18 offices.

Q And the library?

A The library, yes.

Q And this light cleaner does those areas?

A She doesn't do--I mean, we're not talking about one person. We're not talking about one person, are we?

Q How many people do that?

A I said I had three light cleaners in the building.

Q Do they all work on the fourth, fifth--

A Well, what we do with them is that one person is in the Bursar's section, and that person stays in that section. The person in the library puts in about four hours in that library and she reverts herself to another floor, and we also have a light cleaner upstairs who is also alternating on the upper floors. This covers the building entirely.

Q What happens to the second and third floors? Or is the Bursar's Office on the first and second?

A No, the Bursar's Office is on the 200 level. The 100 level, that's the tunnel area.

Q What about the third floor?

A The third floor? This is also on the light cleaning schedule. All this is operated on the alternate schedule.

Q What kind of rooms are on the third floor?

A Wait a minute, we're getting into something--I'll be confusing you with the setup in the building. The 300 floor we're talking about?

Q Yes.

A That's the library. That houses the Chinese library.

Q All right.

A The 200 level--

Q And that takes about four hours to clean?

A That's right, and the 200 level is the Bursar's section.

Q Where are the classrooms?

A The classrooms you find up in the upper section.

Q How many classrooms?

A In Kent there's about five classrooms in that area up there. The majority of it is office.

Q How many offices?

A About 16 or 17 on a floor.

Q On a floor?

A Yes.

Q Starting from the fourth floor up?

A That's correct.

Q So there are approximately 64 offices?

A Approximately, I would say that.

Q And the five classrooms are from--what are the approximate sizes, smallest size and the largest size?

A I would say the largest was about as large as this room.

Q That is about 40 feet by 20 feet I think is what has been established. And it will have about how many chairs in it?

A Well, that varies. Again that varies because they move chairs. So on some nights we come in we find ten chairs missing, sometime we find more chairs than are usually in the room. It's all according to what's given, whether it's a lecture or if someone from the outside comes in they put a lot more chairs in.

Q Those get cleaned every night?

A Those are public spaces, yes.

Q And of the approximately 64 offices half of those get cleaned every night?

A Yes. They are done on an alternate basis, the offices.

Q And the library gets cleaned every night?

A Yes, that's a public area.

Q The law school, there are seven light cleaners; is that right?

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A Right.

Q How many floors and what is the square footage of the law school?

A There's eight floors in the law school. The law school, the square footage, it's 197,000 square feet. I might be off on that one.

Q What would that mean in terms of one floor? How large would one floor be in square footage?

A 12,000. It varies with the structure of the building. Some floors, according to the way the outside of the building is built, some floors would be less.

Q In the law school?

A Yes.

Q As I recall it's a square building--no.

A You get down to the bottom it spreads out.

Q Isn't it true that Eileen Ellis who is a light cleaner there cleans seven classrooms?

A Mrs. Ellis?

Q Yes.

A No, Mrs. Ellis is on the--upstairs in the building.

Q How many classrooms does she have?

A There's no classrooms up there where Miss Ellis is.

Q Where was Mrs. Ellis prior to June of this year?

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Where was she assigned?

A On the 111 law school.

Q Does that have classrooms?

A Yes, that's where we have the classrooms.

Q Can you tell us about the size of those classrooms?

A Well, they vary--

THE COURT: Miss Goodman, if you're going to have--

MISS GOODMAN: Your Honor, we--

THE COURT: She cleans classrooms.

MISS GOODMAN: Well, the size is important because--

THE COURT: How?

MISS GOODMAN: Because we have been told time and again how difficult it is to clean 15 bathrooms in contrast to how light it is to clean classrooms. Now we put forward that the size of these classrooms, how many chairs might be in it, whether they get moved or don't get moved for vacuuming or for dust mopping, whether they have to be waxed or

B10 don't get waxed or get waxed once a week, whether every one gets dusted every night--

THE COURT: Well, given your premise haven't we now had a good dozen or so classrooms described by these gentlemen? How many chairs, what their floors are, how big they are? Haven't we had that?

MISS GOODMAN: Well, they vary in size.

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THE COURT: Hasn't he covered the waterfront in terms of representivity?

MISS GOODMAN: I think the law school might have some larger ones, but if we could just try that one and the large auditorium types, but if we want to stipulate to that, I would be very glad to.

THE COURT: I have no power to stipulate to anything with you. It is a question of whether or not you have really covered it and whether we need to go into it.

MISS GOODMAN: Well, your Honor, I think that this is the case we have to rest on and we would like to pursue it unless everybody just feels it is cumulative and some classrooms have three or 400 chairs and the women will have other offices to do such as corridors or offices or another chore. If you think that's cumulative--

THE COURT: It seems so to me, but if you think it is not, I cannot bind you.

BY MISS GOODMAN:

Q The classrooms you discussed there, can you tell me the general size of them, or, tell me the specific size?

A In square footage?

Q First square footage, and then for each one approximately how many chairs and desks or armchairs?

A These rooms in law school have stationary tables.

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They are in an arc formation. The room could be opened and expanded by the removal of the doors in between. So that makes it quite a large area.

Q When you say quite large, would it be fair to say around 300--

A Well, you are putting the two rooms together. You are removing a wall.

Q Could it hold as many as 300?

A More than that.

Q 500?

A Yes, about that.

Q About 500?

A I would say that.

Q Are there any larger than 500?

A No. This is only when that door is opened.

Q And if the door is closed then you have two classrooms of--

A You have two classrooms.

Q Of 250 apiece? And there are then approximately 250 chairs?

A No, these are stationary benches. They are stationary. I mean, the bench is in front of him and it's a stationary chair. It's not like these chairs here.

Q But it is a chair?

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A Yes, a bench.

THE COURT: It cannot be moved.

Q It cannot be moved?

A It cannot be moved.

THE COURT: Is it on a pedestal or a tripod?

THE WITNESS: No, it's an ordinary bench which has a back to it, but it is stationary.

Q Are they wood?

A Yes.

Q And they are dusted?

A Yes.

Q And they have long tables going across?

A They have the tables in an arc formation.

Q So that there is a table across a whole row?

A Yes, it spans right across.

Q And those are--

A To the both entrances that come in.

Q Are those the formica type tables that you damp mop?

A Yes--

MR. STITT: If I--

Q Damp clean?

A Clean.

Q That is done every night; is that correct?

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A That's correct.

Q Now, all told are there approximately seven of those on one floor in the law school on the floor that Miss Ellis cleans?

A That's correct.

THE COURT: Seven what?

MISS GOODMAN: Seven classrooms.

THE COURT: 250 or 500 seats?

THE WITNESS: They vary, sir. Some rooms are smaller than others. Some is used for moot court, others is used for a similar setup that you have here. These are not very large. The largest classrooms are A and B. They have a removable door. This is when some judge or someone from the outside that's come to make something, they open these doors and that means they can have a large audience in t[illegible] rooms.

Q And the smaller classroom, what size would that be, about 100 chairs?

A This stands 750,000 square feet, something like that. With stationary chairs.

Q And all those rooms get vacuumed or dust mopped every night?

A They are resilient floors so they are dust mopped.

Q Dust mopped every night. Isn't it true that Mr.

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Samson is on a part time schedule assigned to the law school?

A That's correct.

Q Isn't it true that he vacuums and cleans classrooms?

MR. STITT: I object to the form of that question, your Honor.

MISS GOODMAN: Your Honor, this is cross examination.

THE COURT: Overruled.

A I beg your pardon, he does what?

Q That he vacuums and cleans classrooms.

A Yes, he does.

Q What floor does he vacuum clean in the classrooms?

A 1127, 1125 Amsterdam Avenue.

Q What floor of the law school does he clean and vacuum?

A He doesn't vacuum in the law school, he takes care of the classrooms.

Q He dust mops in the law school?

A No, he wet mops, dust mop and wet mop.

Q What floor is that in the law school?

A These are all the lecture halls, A, B, C, D, E, F, G.

Q The one you just described Mrs. Ellis as doing?

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A That's correct.

Q When did he start doing that?

A I changed Mr. Samson over six to eight months ago, I believe. To get better results because I was getting constant--

MISS GOODMAN: I ask that--

MR. STITT: If your Honor please, the witness is in the middle of an answer.

MISS GOODMAN: I asked him when the change was made. I believe this is cross examination, I'm entitled to press and I am entitled to get a direct response.

MR. STITT: And I suggest the witness is entitled to complete an answer when he is in the middle of it.

THE COURT: I would think so. Go ahead.

Q The law library, how large a building is it, what kind of--

A The law library?

Q Yes.

A The law library is 203 square feet.

Q How many floors?

A We have four floors inside. We have a rotunda in the building which all the offices are on the outside of this rotunda. The rotunda runs complete from the 200 level to the roof.

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Q How many offices?

A I have to give a rough estimate on that one. Close to over 200.

Q I assume these are also cleaned on an alternate basis?

A They are.

Q But approximately 100 are cleaned a night?

A That's correct.

Q And two maids, light cleaners, clean 100--

A That's correct.

Q Do they clean the library area?

A There is no library area.

Q There is no library in the library. Okay. Just the offices?

A That's correct. It's an administration building.

THE COURT: Mr. Shervington, as to an earlier building certain light cleaners cleaned approximately 18 offices and then had other tasks; is that right?

THE WITNESS: Yes, sir.

THE COURT: Here certain light cleaners clean 50 offices, and I assume have no other tasks?

THE WITNESS: That's correct, sir.

THE COURT: And I deduce that one of the problems of the supervisors and you in all of this area is to try to

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make an equalization of work, and what you try to do is to break this down so that in the eight hour period given an average type of worker, these tasks can get performed?

THE WITNESS: Yes, sir.

THE COURT: Therefore, you made a study, I assume, over the years, and in certain situations, you determined that one light cleaner can do 50 offices in the eight hour stretch?

THE WITNESS: Yes, sir.

THE COURT: In that particular building, and that's it?

THE WITNESS: Yes. Well, we have done this by time and motion studies.

THE COURT: All right. And in other buildings, you have determined that a light cleaner can do 18 offices and then do a certain number of classrooms or certain number of corridors or that kind of thing.

THE WITNESS: Yes, sir. We have established to the point that we have by time and motion we have gone along the line to see how long it takes them to do it, and that's why we have established how long it takes for a person to do a certain amount of work and things of this nature.

THE COURT: Tell me about this time and motion study, when was this done?

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THE WITNESS: This time and motion study is something which we went through when we were reverting to the night shift. At one time all the university personnel worked from 5:30 a.m. in the morning. Women, which is the cleaners, worked until 10:30. Some of us worked until 2:30. The men worked sometime until 2:30 in the afternoon. So when we reversed the situation we had to go to nights a whole new setup had to be made up. And what we did was--

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THE COURT: When was this?

THE WITNESS: This was in '61, '62, around that area.

THE COURT: All right.

THE WITNESS: About 14 years ago, sir. What we did, we went by floor plans, what the amount of square footage was representing a room, and what we did we went through the process of finding out how long it takes a person to clean a room. And this is how we established ourselves on what they can do, how far they can go.

THE COURT: Followed them around with a stop watch or something like that?

THE WITNESS: Yes. Well, we give them some lateral, some rooms are different from the others. Some rooms just have a desk, a chair and three files, others would have maybe two desks, six files. So a little compensation had to be

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made for this kind of thing.

This is what we try to do, we try to even it out as much as we possibly can.

THE COURT: I gather that if you didn't even it out as far as is humanly possible you would have friction among the workers.

THE WITNESS: Well, this is the first thing that you get, you get friction, then you have to re-evaluate it and find out if this person is doing more than the other. Then you have to even it out.

THE COURT: Very good. Thank you very much.

Go ahead.

BY MISS GOODMAN:

Q Isn't it true that in 1961, '62 or '63, when this time and motion study was done that the law school wasn't built?

A The law school was in the process of being built at that time.

Q But there were no cleaners in the law school at that point?

A No, we weren't in the building.

Q There was no building. Are there any other buildings that weren't there in 1961, '62?

A Mudd was in the process of being built along with

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the law school at that time.

Q And SIA?

A SIA, that's only about three years old. And Uris is behind that, too.

Q So the time and motion study applied to the buildings that were there and the number of cleaners that were there at that time; isn't that true?

A Also for the new sections. We had to go according to what we had, X amount of rooms.

Q But you didn't have the new sections at that point?

MR. STITT: Your Honor, I believe he is in the middle of an answer.

THE COURT: Yes, he is in the middle of an answer which is, I believe, an explanation of what your question was. Go ahead, sir.

A What we do, like we did with SIA, the School of International Affairs, we get the drawings and we evaluate how many toilets there is in the building, how many corridors, how many staircases, how many classrooms, how many offices, carpeted or not, and this is the way we have to estimate how many people we would need for a building of this size, and break it down until we get to the point, then we go in. All right, we have some--sometime it varies that we have to maybe put someone else in there or that we are

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overstaffed.

THE COURT: In other words, in the beginning, you do a little bit by trial and error until you work out just how the building should be handled?

THE WITNESS: Yes, sir. But what we try to do, we try to estimate and cover every detail of what we have, every staircase, toilet, classroom, things like this. All this that is essentially to be cleaned by us.

Q But SIA was not on the drawing board in 1961, was it?

THE COURT: He has said that.

A I have no idea of that.

Q But that did not go into the competition of--

MR. STITT: I object to the form of that question.

THE COURT: Yes, I sustain the objection.

Q How many maids and janitors were there in 1961-62?

MR. STITT: Are you referring to a particular shift, a particular department?

MISS GOODMAN: The night shift.

Q When you went on the night shift and did the time and motion study, how many maids and janitors were there?

A Well, that varied because we didn't have--the university was not completely on nights. We had to take this thing gradually. We couldn't take these people and disrupt

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them and throw them right on nights. What we tried to do, we took building by building. I took building by building in this order, sometime I took two buildings, I started with Pupin first and worked it out with Pupin, and then I went to another building, Mathematics, and I worked on that.

Then I figured out the other buildings, myself and the other supervisors, we got together on this thing, we held meetings of just how we were going to do it and things of this nature until we virtually turned the whole section over.

Q Isn't it true that there has been a constant attrition of maids over the course of the past ten years, that there has been a decrease in the number of maids over the past ten years?

MR. STITT: If your Honor please, I'm going to object to the form of that question because I don't know what department, what shift it refers to.

MISS GOODMAN: On the night shift.

MR. STITT: And I don't know whether we are talking about X buildings in 1961 and X plus buildings in 1974.

THE COURT: Yes, I think you have got to lay a little better foundation for the witness to focus on the time.

Q Since 1970, have any new maids been hired, or light

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cleaners?

A No. To my knowledge, no.

Q Have any resigned, retired, died?

A Oh, yes.

Q About how many?

A There was quite a bit of them that left and retired and things of this nature. Some were taken off my shift and replaced--placed in other areas. What the whole total of how many were left or anything I couldn't give you an estimate on that.

Q Would you say over 100?

A I wouldn't really know.

Q But there have been a large number?

THE COURT: No, I will sustain the objection.

MR. STITT: Objection.

Q How many toilets are there in the Low building?

MR. STITT: Now, if your Honor please, are we talking about individual stalls or public lavatories?

MISS GOODMAN: We will establish it.

Q I am talking about a bathroom. How many bathrooms?

A We have an average of two on a floor.

Q And how many stalls in each one?

A In the upper part, say from 400 up, 400, you have an average of two stalls, two basins or two urinals. This

is in the men's.

In the ladies' room you have two stalls, two basins and probably you have a lounge area also.

Q And how many janitors clean that?

A I have two men assigned to that section.

Q And you recall that, you are really sure about the numbers you are just giving me?

A What, of the stalls?

Q Yes.

A Let me get a picture of it now.

MR. STITT: Is this for the whole building or just for the upper portion?

MISS GOODMAN: I asked for the whole building. I assume I got an answer for the whole building.

THE WITNESS: I talked about the upper floors, correct? That is what I gave you, right?

MISS GOODMAN: I don't know.

MR. STITT: I object.

MISS GOODMAN: I asked for the whole building. I don't know what his answer related to, Mr. Stitt.

THE WITNESS: I mentioned they are above the 400 floor. I mentioned there were three floors, correct? Well, on the lower floor we have some large, some very large toilets there. These have about 14 stalls in these toilets.

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Q And you are sure of your information?

A Relatively sure.

Q Do you know the number of bathrooms in all of the buildings? Pretty close to it?

MR. STITT: I object to the form of that question, your Honor.

THE COURT: You mean the entire campus?

MISS GOODMAN: Yes, I want to know whether he knows the number of that.

THE WITNESS: I have about 350.

Q Bathrooms. I ask you again--

A That's an overall, that's an overall.

Q I ask you again do you know approximately how many maids you have lost in the last four years?

THE COURT: He said he didn't before.

A I don't know. I'm sorry.

MISS GOODMAN: I'm asking.

Q You know the number of toilets though?

A Well, that's stationary. People come and go.

Q The maids are under your supervision; is that true?

A That's correct.

Q And you are ultimately responsible for their work and their performance?

A Yes, I am, on the twelve to 8:30 shift.

Q When the time and motion study was done isn't it true that part of the maids' duties were to damp mop floors and stairs?

MR. STITT: If your Honor please, I wish we would specify the time.

THE COURT: Yes.

MISS GOODMAN: This is in 1961 and '62 he said.

THE COURT: Overruled. Go ahead.

A It was a change being made in the process. During this time we were changing the process, there were certain things they were allowed to do and certain things they were not allowed to do, and we were changing it as we gradually went along.

B12

Q Isn't it true though in 1963 that maids damp mopped floors and stairs?

A In '63? In certain areas, I believe. But that's all been eliminated.

Q But in 1963 when this time and motion study was done. I show you this to refresh your recollection (handing). Isn't it true that they used wet mops as part of their equipment? It's true?

A That they used a certain mop, yes.

Q They used a 20 to 24 ounce wet mop?

A No, no. 16 ounce.

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Q Doesn't it say 20 to 22?

A It says that, but we never used more than a 16.

Q But they did use a wet mop?

A Yes.

Q Isn't it true that they did mop bathrooms?

A Yes, and we eliminated all of that.

Q But when the time and motion study was done, that's what they did?

A Yes, we were in transition from the day to the night and we were eliminating things as we went along. Things that we had--the maids were not allowed to do any more. We took this away from them.

Q But at that time they did?

A Yes, in certain areas.

Q And they cleaned and serviced the ladies' toilets?

A That's correct.

Q And they wet mopped the stairs?

A No, that was--they never did that. We took that away from them right away.

Q I see. When they were doing that were they paid the same thing as the janitors?

A Beg pardon?

Q When they did that--

MR. STITT: May we specify what "that" is?

Q When did they did the damp mopping, when they did the lavatories and before you took away the stairways, were they--

A When we took away all the mopping from them?

Q Yes.

A No. No.

Q Were they paid the same as the janitors?

A No.

Q What was the difference in pay?

MR. STITT: If your Honor please, the union agreements are in evidence.

THE COURT: They are. The objection is sustained.

MISS GOODMAN: Is there a union agreement for that year?

THE COURT: Miss Goodman, unless you are going to go on to something from that, that is in evidence and we can go forward.

MISS GOODMAN: We don't have one for that year, your Honor.

Q To the best of your knowledge, do you think the differential between the maids and janitors was the same in 1961, '62 and '63?

THE COURT: Sustained.

MR. STITT: Your Honor--

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THE COURT: Sustained. The agreements are the best evidence.

MISS GOODMAN: Your Honor, we don't have the agreements.

THE COURT: I gather there are agreements for the whole period.

MISS GOODMAN: '64 I believe is the first year.

MISS RODENHAUSEN: Your Honor, the Secretary subpoenaed all the bargain contracts from 1964, but the university doesn't have them available.

MR. STITT: If your Honor please, I noticed a bunch of union agreements on Labor's table and they were given to them by me and they have not been put in evidence.

MISS LIBOW: It does not include 1961 and '62.

MR. STITT: It includes all we have.

THE COURT: The witness is being asked if he can remember what the differential was and he may be asked that question in that fashion.

BY MISS GOODMAN:

Q Do you remember what the differential was?

A No, I really don't.

THE COURT: Mr. Shervington, a Mrs. Isabel gave testimony that she wet mopped bathrooms from 1955 to 1962.

THE WITNESS: Yes, sir.

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THE COURT: And what was the equipment that she was using at the time she was wet mopping these bathrooms, if you remember?

THE WITNESS: We issued them. At that time there was a 14 quart pail and what we call a maid's wringer. A maid's wringer is about half the size of the--the type of wringer that was in that--

THE COURT: Well, we had a wringer here, that was the one that goes on the 44 quart bucket.

THE WITNESS: No, no.

THE COURT: This is half the size of that?

THE WITNESS: Oh, yes. The jobbers have this kind of wringer.

THE COURT: We have also had testimony here, I specifically remember one lady who wet mopped a dean's private toilet.

THE WITNESS: Yes, sir.

THE COURT: Counsel may be able to supply me with the name, I don't know whether--

THE WITNESS: Mr. Stewart?

THE COURT: I don't know.

MISS RODENHAUSEN: Mrs. Thelma Williams.

MR. STITT: I believe that was Thelma Williams, your Honor.

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THE WITNESS: Thelma Williams.

THE COURT: Maybe. In any event, there was a lady who said that she wet mopped at this point as of today a toilet adjacent to a dean's private office.

THE WITNESS: Yes, sir.

THE COURT: What kind of equipment does Mrs. Williams use in performing that task?

THE WITNESS: This is done with a, just a normal cleaning out of the bowl and the cleaning of the basin. The floor in Mrs. Williams' area is a resilient floor, I believe.

THE COURT: This is in the bathroom itself?

THE WITNESS: Yes, the bathroom itself.

THE COURT: Does she use one of these 44 quart--

THE WITNESS: Oh, no.

THE COURT: (Continuing)--buckets and a wringer and a mop for that?

THE WITNESS: No.

THE COURT: Does she mop the floors?

THE WITNESS: Well, this is just--a toilet of this type you wouldn't place it with a public toilet. So it doesn't require that kind of cleaning. The bowl should be attended to nightly. Probably the basin will probably never be used maybe for two days. Probably the dean goes outside

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and uses the public toilet most of the time.

THE COURT: But what I'm getting at is what equipment the light cleaner would use in cleaning such a bathroom.

THE WITNESS: Well, she would use maybe a 10 quart bucket where the solution is which she inserts inside the bowl and basin with a sponge with a rubber glove on and things of this nature.

THE COURT: I see. Have you observed this being done?

THE WITNESS: Yes, I have, sir.

THE COURT: All right, go ahead. Thank you very much.

Miss Goodman, how much longer are you going to be?

MISS GOODMAN: I'm afraid another half hour, your Honor.

THE COURT: All right, we will take a recess for five minutes.

(Recess.)

THE COURT: You may proceed.

BY MISS GOODMAN:

Q The law library, you said there were two light cleaners. Isn't it true that in June of this year there were three?

A That's correct.

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Q When did that third light cleaner leave?

A She was transferred to another shift.

Q Her position has not been replaced in the law library?

A No.

Q When she was there were the three light cleaners divided relatively equally in their work?

A Yes, they were.

Q You talked about Pupin, there are five light cleaners and three heavy cleaners. Can you describe Pupin for me in square footage and number of stories?

A Pupin is 115,000 square feet, it consists mostly of labs and offices and classrooms. From the 200 level to the 400 level to the--to the 500 level we have about, approximately about 17, 18 classrooms. Two of these are lecture halls.

The sixth floor up, these are labs, labs classrooms I mean, students, it's like classrooms where the students are. The seventh floor is partially--no, the machine shop is gone, the majority of the floor is office.

The eighth floor is a departmental office which houses the physics library. The ninth floor is offices, and we have a student lounge on that area. The tenth floor you have labs there.

On the eleventh floor you have labs and offices. On the twelfth floor you have offices where the student instructors have their offices up there on the twelfth floor. On the thirteenth floor you have labs up there, also offices. And on the fourteenth floor this houses the Department of Astronomy. This is all office areas.

Q That is the whole building?

A Yes.

Q When you said 17 to 18 classrooms from the 200 to 500--

A Yes.

Q (Continuing)--are those per floor or between all the floors?

A Well, no, between those areas.

Q And those are classrooms that get cleaned every night?

A That's correct.

Q Are they vacuumed and dust mopped, or--

A They are dust mopped.

Q Does one light cleaner cover the three floors, two lights cleaners?

A Oh, no, we have, let me see, Mrs. Gorham takes care of 301, 428, 414 and 425. That's four rooms on the 300 level, and she has about four on the 200 level.

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Q So she has eight classrooms altogether?

A Right.

Q And those classrooms are cleaned every night?

A That's correct.

B13 Q How large are the classrooms?

A These are relatively smaller, small classrooms. Not very large.

Q Can you give me the size?

A About maybe 550 in square footage.

Q How many chairs and how many desks?

A You have one instructor table, you probably have maybe about 20 stationary chairs.

Q Are they all that size or are there any larger auditorium size--

A You have 301 which is a large lecture hall.

Q How many chairs, stationary or otherwise?

A Stationary close to about 230.

Q 230?

A Yes.

Q And those chairs get dusted every night?

A Yes.

Q Any other classrooms that size?

A 428 which is across the--on the western end of the building. This is not as large as 301. I would say it

has maybe about 180 seats in it.

Q And that gets dusted and cleaned every night?

A Yes, that's correct.

Q Dust mopped?

A Yes. This also we have a different process. They have to be wet mopped and it's done by the heavy cleaner, when that time comes for it to be done.

Q How many offices are there in total throughout the building?

A I would say, a rough estimate, about 200, a little over 200.

Q How many labs, also a rough estimate, throughout the building?

A About 100.

Q What are the sizes of the labs?

A The majority of them is about 750 square feet. Some are a little larger.

Q And these are the kind of labs you described before that are classroom type of labs?

A These labs in certain areas, 600 floor it's mostly student labs. When you get up into the upper part of the building this is where it's done by graduate student research.

Q Do the light cleaners dust mop in those?

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A Yes, just the floor only in those areas. They are not allowed to touch anything on those tables.

Q How about chairs, do they dust the chairs?

A Regular standard office furniture, things of this nature.

Q And the student labs?

A Same thing. Whatever apparatus is on the table we try to stay away from it because of breakage.

Q And those student labs are done every night?

A Yes, the labs.

Q That is a public area?

A Yes, public area.

Q Once again you would say that between the work that must be done by a light cleaner in that building that is somewhat equally divided between the five light cleaners?

A This is what we try to do.

Q So that all of them would have a certain number of classrooms they must do every night?

A Well, some persons are in a classroom area, the area in which they are assigned comprised of classrooms. They have a certain amount of offices in these areas or a receiving room or something of this order.

Q Those are cleaned every night?

A Yes, these mostly are like public areas.

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Q Are the offices cleaned every night?

A No, they are done on an alternate basis.

Q Sir, did I ask you this before: How many offices there are in total in the building?

MR. STITT: I believe that was asked and answered, your Honor.

MISS GOODMAN: I'm not sure.

A Well, I think I said about 200.

Q We are talking about from the 200 floor to the 1400?

A 1400.

Q 1400 floor. There is nothing on the first floor, 100, there is no 100 floor?

A Yes, there is a 100 floor. This is mostly, you have, what you have down there, used to have the old cyclotron area down there, but we don't bother with that area back there.

Q That is not cleaned at all?

A We have some offices down there and we have mostly labs in that area. And a machine shop or something like this.

Q There is a library there, too, isn't there?

A On the 800 floor.

Q How large is the library?

A That takes up, let me see, the east end of the wing.

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I would rough estimate about 6,000 square feet.

Q And a light cleaner cleans that?

A Yes.

Q Every night?

A That's correct.

Q And whoever is a light cleaner cleaning that one also has the others assigned?

A Yes, that's correct.

Q Is that vacuumed?

A There is no carpet in that area.

Q Resilient floor?

A Resilient floor.

Q Dust mopped?

A That's right, treated dust mopped?

Q 24 inch?

A That's right.

Q SIA, seven light cleaners?

A Correct.

Q How many floors, how many square feet?

A SIA is a 15 story building. In square footage SIA is 391,000 square feet.

Q What does that mean in square feet per floor? Or is that one of those buildings that also changes?

A We run say about 11,000 square feet of floor.

Q What does that mean in terms of corridor length? Does it go straight down one block?

A Oh, no. Yes, I mean the length of the building. What you have, you have what you call the elevator lobby area, you come out into the elevator lobby area you have a short walk then you have two doors which goes into a complex of offices in there.

Q So how many feet would you say that the corridor area is on any one floor?

A About 2,000 to 2,500. That would encompass the--

Q Is that square feet or straight feet?

A Square feet.

Q Can you give me an estimate if I was just walking down how many feet it would be? How many feet I would have to walk to go from one end to the other end?

A I don't think I can do that. I don't think I can give you that. Sorry.

Q Classrooms?

A SIA?

Q Yes.

A They are all on the 400 level.

Q How many are there?

A I have about eight classrooms on that floor. I have eight classrooms on that floor.

Q Lecture halls, seminar classrooms? Are there lecture halls?

A No, these are regular standard classrooms.

Q What does that mean, standard classrooms?

A Well, you have a certain amount of seats, say 40 seats. Ordinary classrooms in the sense of the word.

Q 40 seat classrooms is an ordinary classroom?

A Yes. Some are a little higher, maybe 60.

Q Do you have classrooms on any other floor?

A In SIA? No, I have seminar rooms.

Q How many seminar rooms?

A We have an average of about, this is from the 600 level up, there's an average of about maybe one on every floor, some has two and some are conference rooms.

Q Are these cleaned every night?

A Seminar rooms, yes. They are public areas.

Q And conference rooms?

A These also are cleaned. What they do with these is normally they are kept locked. When there is something, a function going on, then we go ahead. If not we leave it on an alternate basis.

Q You said that you have one or two seminar rooms which are public rooms from the 600 floor up?

A Yes.

Q That means 600 through the 1500 floor?

A Yes.

Q How many offices in the building in total?

A About 20 offices on a floor. In this section from the 600--from the 700 level up we have what we call a cubicle section, cubicle offices. This means just a door similar to this and the person has a desk, a file cabinet. That's about six of these cubicles on either side of the wings of this building.

Q In addition to the offices?

A Yes.

Q And that is from the 400 floor?

A No, that's above the 700. Above the 700 floor to the 1400 floor. From the seventh to the 1400. That would be 800 up to the 14.

Q Would I be correct in assuming that the offices of this building are done on alternate schedule?

A Yes.

Q And the cubicles are done nightly, or--

A They are done the same way.

Q Which way?

A Alternate.

Q But a certain number of cubicles and a certain number of offices are done every night?

A Oh, yes.

Q Plus all the other areas that you have described?

A Yes.

Q Are done every night?

A These are public areas, the public areas are done every night.

Q You talked about Uris which is the business school.

A School of Business.

Q You talked about one of the janitors, or among the heavy cleaner responsibilities was vacuuming.

A Yes.

Q Who does this?

A This is done in the seminar area, the seminars on the 300 level.

Q That is a public area?

A Yes.

Q And a heavy cleaner vacuums that?

A Yes.

Q And he does that every night?

A Yes.

THE COURT: What type of a vacuum do you use?

THE WITNESS: The vacuum that is used in the School of Business on that area is the Noble vacuum. I think you have a photograph of it.

THE COURT: Noble?

MR. STITT: Yes. May we have Exhibit R, please?

MISS GOODMAN: I will be wanting to use it, but--

THE WITNESS: Here, it is this one here (indicating).

MR. STITT: Your Honor, that would be Exhibit R, pages 10 and 11.

BY MISS GOODMAN:

Q Is there a building called Livingston?

A Yes.

Q You didn't mention that before. Who works there?

B14 A That is a dormitory section. That's out of my reach. I don't have nothing to do with that.

Q You have a heavy cleaner by the name of Alfredo Reyes?

A Yes, I have.

MR. STITT: May we have the spelling for the record?

MISS GOODMAN: R-e-y-e-s.

Q And Mr. Reyes he is assigned to clean 540 West 110th Street?

A That's right.

Q Isn't it a fact that Curley Dickens cleaned 540 West 116th Street up until about January--

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A 114th Street? Yes.

Q It is 114th Street?

A Yes.

Q I'm sorry. Cross that out.

A Yes, she did.

Q She was transferred to Butler full time?

A That's correct.

Q The Mathematics building, you testified about that one. How many heavy cleaners and light cleaners are there there?

A Two and two.

Q How large a building is it, and if you could go through the number of public rooms--

A Mathematics is about 42,000 square feet. What else do you want to know about it?

Q How many stories?

A Six stories.

Q How many classrooms?

A About seven classrooms.

Q Throughout the whole building or on a floor?

A No, that's throughout the whole building.

Q Are there seminar rooms, too?

A Yes, we have, I think there's two of those. Two of those.

Q There is a library?

A Yes, it houses the Mathematics library on the 300 level.

Q And all of the areas we have just talked about are cleaned by a light cleaner?

A That's correct.

Q There are offices?

A Yes.

Q How many?

A About 150. About 150 offices in that building.

Q I assume those are also cleaned on an alternating basis?

A It's on an alternate schedule.

Q So the two light cleaners share cleaning of the offices?

A Yes.

Q And along with that they clean the public, they share some cleaning of the public rooms?

A Classrooms.

Q Classrooms?

A Yes.

Q And the seminars?

A That's correct.

Q You testified before about a pail that the women

use in cleaning the small bathrooms in Butler. I show you this Exhibit R and I ask you do you see that pail (handing)?

A No.

Q Do you see the mop that they use in there?

A No.

Q Are they given rubber shoes to wear when they wash the floor?

A No.

Q Are they given rubber gloves or anything else to use?

A Yes. This is upon request. Whenever they need them we see that they are issued to them.

Q How about the mop, you said you did not see that?

A No, those are 24s and 32s there.

Q Are those ounces, or--

A Ounces.

Q 24 to 32 ounce--

THE COURT: No, and 32.

Q And 32?

A And 32.

THE COURT: Two mops, I take it one is a 24 and one is a 32.

THE WITNESS: Yes, sir.

Q We were talking about the 24 inch dust mop?

A Yes.

Q We were talking about the bottom level is 24 inches; is that correct?

A That's correct.

Q How high will they stand?

A The mop stick?

Q Yes.

A A little over five feet.

Q I show you Exhibit R, page 23 and 24, an object called a wastemobile (handing).

A Yes.

Q Some of the maids use that; is that true?

A That's correct.

Q Isn't it true that some of the maids use carts that have room to put their equipment in?

A Yes. Well, this also has what we call a caddy bag which can be adjusted to the side which you can carry things in.

Q And that is not shown in that book any place, is it?

A No, it's not shown here.

Q Is it shown any place in that book?

A Well, there's only two photographs of it here. No, it's not here.

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Q I think you have testified that when one of these carts are filled that they might weigh up to 30 pounds?

A Well, this is what we tell them to do. We tell them not to go over that. Whatever waste paper they pick up they try to tell them to stay in a standard area on it.

Q And the standard area is about 30 pounds?

A About 30 pounds. Anything heavier than that we have to get the heavy cleaner up to have it removed.

Q Isn't it true that they take it over, empty it then come back and pick up more?

A Yes. Well, that they do, they just pull the plastic bag out, tie it up and just deposit it in front of the elevator.

Q And how high does that wastemobile come up to?

A On this floor? About this high (indicating).

Q How about next to me, I'm five, two?

A About there (indicating).

Q About three feet, would you say? Would three feet be it?

A Yes.

Q So I would have to lift it up over my head to pull it out?

A Well, it depends on the height of the person.

Q A five, two person, I would have to lift it up.

A You would have to, there is other people who are taller.

Q So you're picking up that 30 pounds that way?

A Well, this is one of the chief reasons we don't want them to load it any more.

Q Would you describe the caddy bag to us?

A The caddy bag, it's an apron type bag which has pockets in it. They have about six pockets in it. And in these pockets they carry their tools, polish, whatever dust cloths they need and various other items that they use in cleaning the offices.

Q About how much would they have? Say their aerosol cans and polish and rags, about how much would that caddy bag weigh?

A An aerosol can weighs what, about a pound? I wouldn't say it's over five pounds.

Q What do they do with their dust mop?

A Their dust mops?

Q Yes.

A They dust the floors with them.

Q How do they carry it? I'm sorry.

A How do they carry it?

Q Yes.

A Well, most times what they do as they go along

when they are finished with the mop, the mop is placed into the cart and they push it along. This way here they have a better opportunity for cleaning it out while they're doing this kind of thing.

Q So the mop is also put right in the cart?

A Yes, or she can carry it and push the cart at the same time.

Q In doesn't fit in the caddy part, though?

A No.

Q If she also had a vacuum how does she carry that?

A Well, the vacuum is usually brought along in the areas that it's needed. It's deposited there and left there until she gets the opportunity to use it.

Q First she comes and she brings up the vacuum where she needs it?

A Brings the entire equipment out of her closet and she normally knows the layout of a floor so she knows when she is going to use her vacuum so the vacuum is left there in a certain area.

Q But she brings it up?

A Yes.

Q And she leaves it there, then she goes back and gets her cart?

A Most likely, yes.

Q Isn't it true that you purchased all sort of utility carts that also have compartments that's a whole cart?

A Yes, I have different types of carts. These also are built quite a little different from a caddy bag. The reason for these collapsible type is that the storage area is what is needed. In the older buildings we don't have storage area as we do in the new sections of the buildings. As we went along these areas were expanded and gave us larger rooms. So that these type of carts could be brought and so they could be deposited into this room.

Q But they are maneuverable so you can get them into the elevators; is that right?

A Yes.

Q How many utility carts do you have?

A Well, I have them in Mudd, Terrace, Uris. These are the relatively new buildings which have large janitor closets.

Q I show you some samples of White utility and maids carts. Which one do you have (handing)?

MISS GOODMAN: Excuse me. Mr. Stitt, may I not be bothered during cross?

A This one (indicating).

Q You have that one, do you have any others?

A No, I don't have any of these (indicating). Just this one (indicating).

Q Do you buy that from White, or is it similar to White?

A We get this through the jobber, or like the company, the salesman that we have.

Q Isn't it true this weighs about 60 pounds?

A That's what the brochure says.

MISS GOODMAN: Your Honor, I would like to submit this into evidence just for the purpose of showing the cart that was identified by Mr. Shervington and its approximate weight.

THE COURT: Is there any objection?

MR. STITT: No, your Honor. It has been identified by the witness. I would ask for a photocopy of it.

B15 MISS GOODMAN: Yes.

THE COURT: Received.

XXX (Plaintiff Walker's Exhibit 38 received in evidence.)

BY MISS GOODMAN:

Q When I showed you that Exhibit R before you didn't see a copy of that in Exhibit R, did you?

A The photographs?

Q Yes.

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A No.

THE COURT: Incidentally, on the exhibit you just identified, hadn't you better mark the page number? What is the page number you have reference to in that exhibit?

MISS GOODMAN: Page 14.

THE COURT: Page 14. All right.

MISS GOODMAN: I thought I would photocopy it for everybody and submit that.

Q You said that you did not see a picture of this in--

A That particular cart?

Q Yes.

A No.

Q Now, this cart also has room at the bottom. Isn't it true that that is often used by maids to put their vacuum cleaners there?

A That's correct.

Q What are the other compartments used for?

A This compartment here is used to carry their cleaning material, their aerosol cans and things of this nature.

Q That is what weighs about, what did you say, about five, seven pounds?

A Four, five pounds.

Q And the garbage about 30 pounds?

A That's right.

Q The vacuum about 17 pounds?

A The vacuum is 17 pounds.

Q And the cart itself, about 60 pounds?

A That's what the brochure says. I have never weighed one to find out what it is.

* * * *

XXX

CROSS EXAMINATION

BY MR. BERKE:

Q Mr. Shervington, in 1963 what position did you hold?

A Supervisor.

Q Supervisor on the night shift?

A Yes.

Q In charge of how many buildings?

A Well, there were two supervisors, full supervisors. I was called into the office by Mr. Gardner and asked that there had to be one man in charge and if I had any objections to the senior supervisor, and I told him I didn't.

Q So how many buildings did you supervise?

A All of them. All the academic buildings.

Q How many is that now?

A About 26.

Q Then in 1966 what position were you holding, Mr. Shervington?

A I was still the supervisor in that area at that time, I believe.

Q On the night shift?

A Yes.

Q When did the female maids stop wet mopping bathrooms?

A When we changed over, started to change over to nights. This is one of the things that we started to eliminate.

Q When?

A That's about 13 years ago.

Q About 13 years ago? It's 1974 now, that is 1961?

A That's correct.

Q Isn't it a fact, Mr. Shervington, that they were wet mopping bathrooms in 1963?

A I said that we were working the process of eliminating it.

Q How did that process of elimination take place?

A As we went from changing of work schedules and things of this nature.

Q Things of what nature?

A Of what they are required to do.

Q In other words, are you saying that on a building by building basis as a maid quit her job--

A Oh, no.

Q (Continuing)--she was replaced by one that didn't do what she did before?

A No, there was changes in the work schedule of the

work to be done in the assigned buildings, and this is what we were doing. We were changing as we were going along.

Q And by the end of 1963, how far had the changing in terms of the number of buildings where females were no longer performing wet mopping of bathrooms?

MR. STITT: Your Honor, I believe the record shows my continuing line of objection to testimony prior to March 1971.

THE COURT: Yes.

Q How far had the change gone in 1963, Mr. Shervington?

THE COURT: If you remember, sir.

A About half of the sections we stopped wet mopping.

Q So about half of the females in 1953 were performing wet mopping of bathrooms; is that correct?

MR. STITT: Your Honor, I don't believe that necessarily follows.

THE COURT: No. The question is proper and let's see what the answer is.

A Yes, I would say so.

Q When did the wet mopping cease on an overall basis, the wet mopping of bathrooms?

THE COURT: By whom?

Q By maids, by individuals in the category of maids.

A '64, '65 we were about through with that.

Q 1965 you were about through with it?

A Yes.

Q Isn't it a fact that maids were still mopping toilets in 1966?

A Private toilets in Butler? Yes.

Q How about public toilets?

A I doubt very much whether we had any doing that at that time.

Q Do you doubt it or do you know it?

A I doubt it, sir.

Q You don't know it?

MR. STITT: I object to that question, your Honor.

THE COURT: Sustained.

Q When you speak about phasing out this wet mopping bathrooms, were you also phasing out wet mopping of corridors and stairways?

A This was all being eliminated. This was taken over by the heavy cleaners.

Q Well, by 1963, how far had you gone in phasing out wet mopping stairways and corridors?

A I think we completed it by then.

Q You completed it by 1963?

THE COURT: Yes, Mr. Berke, that's what his answer

was.

Q Mr. Shervington, I show you Plaintiff's Exhibit marked for identification 132 which purports to be the general duties of maid dated 8/24/66 (handing).

Have you ever seen that document before?

A Yes, sir.

Q Is that in fact a job description for maids which was in effect in 1966?

A Yes, sir.

Q Was it in effect as of 8/24/66 as it states on the bottom?

A Yes, sir.

Q What the job description states in paragraph 1, on the ninth line, "corridors and stairs are to be swept daily and mopped at least every week or oftener if needed--"

A Correct.

Q Were the maids in fact doing that in 1966?

A No, sir.

Q They were not doing that?

A We eliminated all this.

Q You had eliminated it by that time?

A Yes, sir.

Q Was there any study, time and motion, conducted prior to the promulgation of this job description in 1966?

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A Yes, there might have been.

Q There might have been?

A Yes.

Q Was there one?

A Yes, I think there was.

Q Was this job description based upon that time and motion study?

A No, sir.

Q Was any job description that you know of in university based upon a time and motion study?

A No, sir.

Q Isn't it a fact, Mr. Shervington, that time and motion studies were conducted to let the university know how much of any particular activity could be performed in a given amount of time?

A That's the purpose of it.

Q And it was not conducted to in any way evaluate the comparative efforts used by any individuals performing different jobs?

MR. STITT: I object to the form of that question.

THE COURT: Yes, I will sustain it on the grounds of form.

Q Mr. Shervington, did these time and motion studies draw any conclusions regarding the amount of physical input

to be put in on each task?

A That was taken into consideration.

Q In what way?

A By seeing what the job is, how it is done, how much effort is put into it. One of the factors that we have to do.

Q And which of the time and motion studies took this into effect?

A The cleaning of offices, the scrubbing of floors, the dusting of walls, the cleaning of venetian blinds.

Q I think you misunderstood my question. Which study, sir, which study took effort into effect?

MR. STITT: I object to the form of that question.

THE COURT: Yes, sustained. No foundation to that.

Q Mr. Shervington, you testified, did you not, that there was a time and motion study--

A During the time of this?

Q Well, was there one during the time of that?

A We were making them at that time.

Q You were making a time and motion study?

A Yes.

Q At that time?

A Yes.

Q When you say at that time you mean before or after

8/24/66?

A Yes, we were making changes and this was what we had to do. We had to find out exactly what kind of personnel or how many personnel could be used for a building and things of this nature.

Q When you made those studies isn't it a fact that you were not taking in--you were taking into consideration--

MR. BERKE: Strike that question.

Q Isn't it a fact that the studies were made to tell you how long it took to perform a certain task?

A Well, this is primarily the factor of what a work schedule is. Work schedule is defined on this area of what a person can do, how long it takes a person to do it. The effort it takes to do it. This is what we tried to do.

Q Well now, let's wait a minute there now, Mr. Shervington. I'm talking of time, you're talking of effort.

MR. STITT: If your Honor please--

THE COURT: Please put questions, Mr. Berke. Put questions.

MR. STITT: I object to this.

Q Mr. Shervington, when exactly were these studies conducted?

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A The first part of the situation is we were going on nights, and there was things--we were changing personnel

from the day shift to the night shift which meant that there was a whole different thing to be done. You had no personnel running through in and out of the building like we have during the day time, so there was nobody there. So this is what we did, we lined up this kind of thing and went along with it to make this study of how much a person can actually do in a certain given period of time. The effort that was involved in it. And this is what we tried to do on the basis of trying to be fair.

Q Was this time and motion study--

MR. BERKE: Strike that.

Q Did you conduct a time and motion study?

A Myself or my supervisor?

Q What training did you have in conducting time and motion studies?

MR. STITT: I object to the form of that question, your Honor.

THE COURT: Yes, what is the--

MR. BERKE: Your Honor, if these time and motion studies are to in any way be used to justify finding a different effort I am entitled to inquire into how they were taken and--

THE COURT: Well, why don't you--

MR. BERKE: I'm asking a man who said he took them

and I'm not asking him what training he had.

THE COURT: Why don't you ask him what he did?

MR. BERKE: May I ask him what training he had in doing such studies before I ask him that?

THE COURT: It isn't necessarily clear that it requires training. He is observing the task and timing the task.

Q When you took these studies, Mr. Shervington, how did you know what to do?

A I have been through a number of seminars dealing with housekeeping and these things were brought up and talked about and discussed by some engineers, and it was shown how this process was to be done. This was part of how I learned this kind of thing, how I went through it.

Q When did you go to the seminars?

A I went to a number of seminars over the years. Since '61. I have been through a number of them. The last one I have been through here was, I think, at Tarrytown, New York. That was about six to eight months ago.

Q But prior to your conducting of these time and motion studies, how many seminars had you gone to?

A I went to two at that time. That was when I was a head janitor.

Q Do you remember where the seminars were held?

A That was the first one I went to was held in John Jay Hall.

* * * * *

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Q Mr. Shervington, I show you Plaintiff's Exhibit 131 marked for identification, and I ask you if you can identify it (handing)?

A Yes.

Q What is it, sir?

A That's a job description.

Q A job description of what, of maids and janitors?

A That's right.

Q And it is dated August 1st, 1963?

A August 6, 1963.

Q August 1st, sir, isn't that?

A I'm just looking at the stamp. Yes.

Q Was that the job description in effect at the University on August 1st, 1963?

A Yes, sir.

Q Are such job descriptions prepared in the ordinary and normal course of the University's business?

A Yes.

Q Was this job description prepared in the regular and ordinary course of the University's business?

A Correct.

MR. BERKE: I offer it in evidence.

THE COURT: Is there any objection?

MR. STITT: Your Honor, I believe the document has been authenticated, certainly the signature of Mr. Gardner appearing on the first page is genuine, but my objection would go to the date of August 1, 1963.

THE COURT: Very well. It may be received.

xvx

(Plaintiff Secretary's Exhibit 131 received in evidence.)

BY MR. BERKE:

Q Mr. Shervington, I show you Plaintiff's Exhibit No. 132 marked for identification and I ask you if you can --

THE COURT: Mr. Berke, what is it, another job description?

MR. BERKE: Yes, sir. A job description.

THE COURT: Of what date?

MR. BERKE: 8/24/66.

THE COURT: Is there any objection, Mr. Stitt? Show it to him, please.

MR. STITT: If your Honor please, I don't know that this has been authenticated on the record.

THE COURT: But have you made yourself aware that it is a job description as of that date?

MR. STITT: I can't make that statement, your Honor.

THE COURT: All right.

BY MR. BERKE:

Q Mr. Shervington, I show you Plaintiff's Exhibit 132 marked for identification and I ask if you can identify it (handing)?

A Yes, sir.

Q What is it, please?

A It's a general duties of a maid.

Q Was this the job description in force and effect as of 8/24/66 at Columbia University?

A No, sir, we had changed a great deal of this.

THE COURT: No, Mr. Shervinginton, was that the one that was in effect as of that date, in 1966?

MR. STITT: Your Honor, I believe the words "in effect" carry with them whether or not these duties were actually being performed as set forth in that document which

is not signed by Mr. Gardner, and that may be what the witness is addressing himself to.

THE COURT: I see.

THE WITNESS: That's what I -- this has been changed.

Q I understand that. Was this, the job --

THE COURT: Let me see the exhibit, please, Mr. Berke.

MR. BERKE: Yes, sir (handing).

THE COURT: Mr. Shervington, look at this. Have you ever seen this exhibit before (handing)?

THE WITNESS: Yes, sir.

THE COURT: When did you see it?

THE WITNESS: I have some in the files.

THE COURT: When did you see it? Did you see it in and around the year 1966?

THE WITNESS: Yes, sir, in the files.

THE COURT: What use did it have in the year 1966?

THE WITNESS: This was not something we used at the time. Things were changing at the time. We were chaning the whole process of the cleaning.

THE COURT: Did you ever use this exhibit at any time?

THE WITNESS: Prior to that, yes, sir. Prior to

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this.

THE COURT: All right. When did you use it?

THE WITNESS: About '65, '64. Around that time.

THE COURT: How did you use it?

THE WITNESS: This was more or less the general duties what the maid was required to do at that time.

THE COURT: Was this given to the maids in the course of their work?

THE WITNESS: Yes, sir.

THE COURT: All right. It will be received.

(Plaintiff Secretary's Exhibit 132 was received in evidence.)

BY MR. BERKE:

Q Mr. Shervington, you testified yesterday to project work. Can you tell us, list for us the duties performed by heavy cleaners which you would classify as project work?

A The term project work is something outside of the regular duty of the heavy cleaner. Say for instance he's assigned to clean rest rooms, corridors and areas like this. Project workers are more or less assigned for cleaning venetian blinds, washing walls, stripping of floors. This is what project work is. It's primarily what project work consists of.

Q Mr. Shervington, how often are venetian blinds washed in a particular building?

A Sometimes twice a year, three times a year. It all depends on the soot that comes through the window.

Q But normally they are done two or three times a year; isn't that so?

A Yes.

Q How long a job is it?

MR. STITT: Now, if your Honor please --

A How long a job is it?

MR. STITT: May we specify which building? Are we talking about SIA? The law school? Or Butler Library with 300,000 square feet? Are we talking about mathematics

with 40 or 50,000 feet?

THE COURT: I assume Mr. Berke had in mind a single venetian blind being washed.

Q How long does it take one window of venetian blinds?

THE COURT: One venetian blind.

A It's a matter of taking it down, getting it in the tank with solution and wiping at the blades all the way down and putting it into the rinse tank. I would say about 20 minutes, 20, 25 minutes.

Q How long in days does it take?

THE COURT: Then hanging it up again, I assume?

THE WITNESS: Yes, sir.

Q How long in days does it take to wash venetian blinds in the Butler Library? All of them.

MR. STITT: Once again, your Honor, I object to the use of the term "days." We are talking about --

THE COURT: Yes.

Q How many hours does it take to wash all the venetian blinds in Butler Library?

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A There is not that many in Butler.

Q Well, how long does it take?

A Well, going through the process of doing it all at once.

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Q You don't know how long it takes?

A I wouldn't know that. I have never done it all at once.

Q Do you assign individuals to do that work?

A Yes, sir.

Q When was the last time you assigned an individual to clean the blinds in Butler Library?

A I would say about six months ago, sir.

Q How long, for how many hours -- how many individuals did you assign to do that work?

A Two.

Q Who were they?

A Heavy cleaners.

Q Who? Names, please.

A Mr. Dalmida and Mr. Contero.

Q How many hours did you assign them to do it?

THE COURT: If you did.

A Well, it all depends. Sometimes we have to break off, sometimes they worked on it for that day, maybe I wouldn't go back to it for another couple of days because of absenteeism and all that interfered with these things.

Q Do you know how many hours Mr. Dalmida and Mr. Contero worked to clean those blinds?

A What?

Q In the collection of days that they did so, sir, six months ago.

A To do that whole line?

Q Now, sir, let me --

THE COURT: No, please let him think and he will answer.

A Take me about three and a half days to complete the section on 320. 320 Butler. That has about 22 windows in there.

Q Do you know how long, sir? Do you know exactly how long?

MR. STITT: If your Honor please, I believe the witness has answered the question.

THE COURT: Yes, that is an answer. This is two men for two and a half days.

THE WITNESS: Yes, sir.

THE COURT: Very good.

Q When you answered my last question, two men for two and a half days, were you figuring it out by adding up the number of blinds, or did you know it, sir?

MR. STITT: If your Honor please, I object to the form of that question.

THE COURT: No, I will permit it.

I will sustain it as to form.

How did you arrive at that answer, Mr. Shervington?

THE WITNESS: How did I arrive at that answer?

THE COURT: Yes.

THE WITNESS: The length of time it took?

THE COURT: Yes.

THE WITNESS: This is over a period of years I have been doing this and this is what I estimated it to be.

THE COURT: Very good.

Q You didn't observe it?

A No, sir, I have a supervisor who does this.

Q I see.

A I tell him what is needed and the supervisor's assigned to it; takes care of that project.

Q So then, you, sir, if the blinds are to be cleaned, you determine that that is needed; is that so?

A Sir?

Q Before the blinds are cleaned you make the determination that that is needed?

A Yes, if I inspect them and I think they need to be cleaned, I tell them.

Q Then you tell your supervisor?

A That's correct.

Q Your supervisor then assigns the men to clean the

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blinds?

A That is correct.

Q And the last time such an assignment of men to clean the blinds in Butler Library was made was six months ago?

A That's correct.

THE COURT: That's correct, Mr. Berke. Go on.

Q How about in the Chandler Hall, when was the last time you assigned men to clean in Chandler Hall?

MR. STITT: Are you referring to venetian blinds?

MR. BERKE: Venetian blinds, I am, thank you, Mr. Stitt.

A In Chandler we have very few venetian blinds there. Let's see. These are vertical blinds. These are normally on the lower level where the light cleaner can reach. He wipes these daily.

Q I want to know when the last time was that you assigned heavy cleaners to clean those venetian blinds in Chandler was, sir.

A Maybe I can explain something to you --

Q Well, sir, let me ask you to answer my question first.

THE COURT: No, I won't permit it in this way because you have not established there are venetian blinds in

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the Chandler building to be cleaned at this point.

Q Are there venetian --

A There are vertical blinds which light cleaners clean by wiping them.

Q Do the --

MR. STITT: Your Honor, I ask the witness be given a chance to answer the question.

THE COURT: Mr. Berke, put the --

MR. BERKE: Your Honor, this is cross-examination.

THE COURT: Yes, but you still need to go step by step, and you can't ask the witness a question you haven't laid a foundation for. Go ahead.

Q Mr. Shervington, are there venetian blinds to be cleaned in Chandler?

A Yes, sir.

Q When was the lat time they were cleaned?

A This I can't answer, because the fact is I was trying to explain something. I have supervisors who are in charge of sections. They take care of project work and anything assigned. I usually get information from the superintendent service as to what necessarily is outstanding and needs to be done. I in turn would assign that to a supervisor. The supervisor himself is responsible for all the housekeeping in that building. He determines when the

blinds should be cleaned and things of this nature. On my rounds if I see these things that are outstanding and are in need, I will bring it to his attention.

Q So then, sir, you can't tell us how often an individual -- how often venetian blinds have or have not been cleaned in a given building the last year, can you?

A Yes, sir. Yes, sir. We have records which we keep when blinds and things like this are being done.

Q You, from your own knowledge, sir, can you tell me that? You can't, can you?

A Pardon me?

Q From your own knowledge you can't tell me how often venetian blinds have been cleaned in each building?

A Of course not. We have got two and a half million square feet of buildings to worry about and think about.

Q You can't tell me how many individual men have cleaned venetian blinds in the last year, can you?

A Not necessarily, no, sir.

Q And you can't tell me how many men have used the mop tanks which are used in cleaning venetian blinds in the last year, can you?

A No, sir.

Q And as to any of them who have cleaned venetian

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blinds in the last year, you can't tell me how long they spent on doing that, can you?

MR. STITT: I object to the form of that question. I believe we have had testimony as to one specific instance and one specific part of one specific building.

THE COURT: Sustained.

Q Is it fair to say, Mr. Shervington, that with respect to all of the project work which you have described you can't tell me how often any individual project was carried out in a building the last year, can you?

MR. STITT: I object to the form of that question.

THE COURT: I will permit it.

Mr. Shervington, you understand the question?

THE WITNESS: Not too clearly, sir.

THE COURT: Rephrase it, Mr. Berke.

Q Another type of project work, Mr. Shervington, is high dusting, is it?

A That's correct.

Q Incidentally, Mr. Shervington, isn't it a fact that when the bathroom heavy cleaners clean the bathrooms, they don't clean the walls any higher than they can reach?

A No, sir.

Q They do not, is that correct?

A They do.

Q They clean the walls higher than they can reach?

A Heavy cleaners?

Q Yes, sir.

A Of course.

Q They do on the night shift?

A Yes. All toilet walls are washed down.

Q Way up to the ceiling?

A Yes, sir.

Q When was the last time that you saw that?

A It was done in Journalism not more than about three weeks ago. This is a particularly, very dirty place. It's below the street and all the dirt goes down through the grates and comes in, and we have to wash it down.

Q Yes, in that particular place, where was that particular place?

A Journalism. 111.

Q The 100 level of Journalism?

A Yes, sir.

Q Did you see it anywhere else?

A Yes, we recently had it done here in Mudd Building. The gentlemen had to get the stepladder.

Q This had to be ordered as a special project?

A No, this is a part of the routine work of the men in these toilets.

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Q It is your testimony that the routine work of the men in the toilets is to clean up way to the top of the ceiling?

A If you look at the job description of a man cleaning a toilet --

Q No, no. I want to know --

MR. STITT: If your Honor please, once again the witness is in the middle of an answer.

THE COURT: The witness is in the middle of an answer, Mr. Berke.

Go ahead, Mr. Shervington.

Q Go ahead, Mr. Shervington.

A When you go into a toilet there's times, periods of time when walls get soiled and they periodically have to be washed. Now, the glazed portion of the walls is done regularly. The painted surface above is probably done maybe once or twice every three months because you don't get that much soil up above. But you get the soil on the glazed part of the marble where hands are being touched on it constantly.

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Q I see. Now, as to high wall washing which is, I believe you classified as project work, how often is that done? At Butler.

A That's done as is needed. Whenever I get

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information that a room, in particular a room is dirty and the walls need to be washed down, this is what is being done. This is what is done.

Q How often have you got such information?

A I get it quite often, sir.

Q How often?

A I would have to go back through all the papers that ever were sent to me.

Q You can't tell me how often?

A No, I get different things every night. You must understand there are a tremendous amount of buildings up there. I can't recollect that kind of thing for an individual --

Q See if you can recollect how often a particular building has required high wall washing. Can you, Mr. Shervington?

MR. STITT: I object to that question, your Honor.

THE COURT: Can you answer that question?

THE WITNESS: Sir, the reason why I can't answer some of these questions that this gentleman is talking about is the fact that when you assign a supervisor has a section he's responsible for the entire section. Now, he is responsible for all the project work and everything

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that's in that building. In his tour through that building he is the one who lays out this type of work. I myself make inspections of the building itself. I in turn would tell him certain things to be done. So some of it is being done and I don't know, because after all, you have got three and a half million square feet of building there to worry about.

Q Isn't it a fact, Mr. Shervington, you also don't know the frequency with which equipment, particular equipment is used in a given building --

MR. BERKE: I'll strike that. I'll strike that.

Q Mr. Shervington, you testified, did you not, that certain individuals, male heavy cleaners, are assigned primarily to do bathroom work?

MR. STITT: If your Honor please, I don't know whether he restricted his testimony to male heavy cleaners or not.

MR. BERKE: I asked him a question, your Honor. If it is not so -- I asked him, did you not testify, and if he didn't, he can say no.

THE COURT: Go ahead. Overruled.

MR. BERKE: Would you read that back to Mr. Shervington?

THE COURT: Mr. Shervington, do you recall on

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direct examination testifying as to certain men classified as heavy cleaners that did nothing but bathroom work?

THE WITNESS: I may have said that, your Honor. I really couldn't recall whether I did or not.

THE COURT: Very good. Mr. Berke.

Q Is that true, Mr. Shervington?

A I may have said that.

Q Is it true that there are certain male cleaners who do only bathroom work?

A Correct.

Q And this takes pretty much of their whole day?

A Yes, sir.

Q For example, in Butler Library, who is the man that is assigned to the bathroom work?

MR. STITT: If your Honor please, I believe the testimony is that there is more than one man who is assigned to that work, or more than one heavy cleaner.

Q Who are the men who are assigned to bathroom work at Butler Library?

A Mr. Cordero -- the other name slips me all the time.

Q Is that Mr. Cordero's entire job each shift, the bathroom work?

A Yes. He has other duties, though, besides.

Q What other duties?

A Well, the collection of the trash to be deposited on the sidewalk. Also the dust-mopping of the 300 level of Butler Library.

Q Do you know how long Mr. Cordero takes to collect the trash each evening?

A It takes more or less about a little over an hour and a half.

Q Isn't it a fact, sir, that some time Mr. Cordero only spends a half-hour collecting trash?

A No, sir. It takes much longer than that, because it has to be collected to take and put onto the sidewalk. That takes quite a bit.

Q How long does it take to push a trash truck from the dock at Butler to the sidewalk where the trash is left?

A That wouldn't take very long, sir.

Q How long?

A Eight minutes.

Q Eight minutes? And how many loads of trash, sir, are taken out from Butler each night?

A It varies. I couldn't give you a flat answer on that.

Q Is it your testimony that six loads of trash are taken out of Butler each night?

A No, sir. I couldn't give you a flat answer on that, either. Because, as I said, it varies.

Q But you say it takes an hour and a half?

A That's right.

Q At eight minutes a carry?

MR. STITT: If your Honor please, I don't believe that is a fair conclusion of the witness' testimony.

THE COURT: No, there is no foundation to make that connection.

MR. BERKE: I believe the record will show whatever foundation --

THE COURT: Whatever it shows, it shows, Mr. Berke.

Q Isn't it true that about 10,000 people come through the doors of Butler Library every day?

A Yes, sir. It might be more.

Q And these people use the reading rooms of the libraries?

A Yes, sir.

Q Do you know if they are permitted to smoke in those reading rooms?

A Yes, sir, in the Burgess-Carpenter Library they are allowed to do this.

Q Can they drink coffee in those reading rooms?

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MR. STITT: Your Honor, I don't know whether the witness completed his previous answer.

A I don't know whether they are allowed to do this -- it's not permitted, but they do it.

Q Who cleans those reading rooms?

A The light cleaners.

Q Who picks up the debris?

A The light cleaners.

Q The women in Butler, how many are there?

A Eleven.

Q Do they do vacuuming?

A Yes, sir.

Q Do you know how much time is spent, the average woman spends on vacuuming in Butler?

A I would say an average of about four hours a day. Three and a half to four hours.

Q In the reading rooms are there large tables?

A Yes, sir.

Q Isn't it true that these women have to wipe down these tables?

A Yes, sir.

Q Now, Dodge Hall, I believe you testified that there were four heavy cleaners?

A Yes, sir. Dodge building.

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Q Dodge building. And three light cleaners?

A Yes, sir.

Q You testified that one man does the rest rooms and the corridors?

A Yes, sir.

Q Does that man push trash trucks?

A At times all men have to be required to put on this -- according to the output of the trash that's coming out of the building, you assist them.

Q Didn't you testify that there was another man who is primarily attached to building staircases who did the trash removal in that building?

A Yes, I said that.

Q So the man that does the rest rooms and the corridors does not normally push the trash truck?

A No, because, as I stated, if it's heavy, he's pulled in to help out.

Q You don't know how many times he is pulled in to help out?

A No, I couldn't say. That would be the supervisor who could give me that answer.

Q You don't know how long he spends in helping?

A Maybe a half hour.

Q Do you know, sir?

A I said maybe a half hour.

Q How do you know that?

MR. STITT: If your Honor please, my adversary --

THE COURT: What is the basis for the answer?

Q What is the basis for the answer?

A Observation.

Q Observation?

A Yes.

Q Who is this gentleman who cleans the rest rooms and the corridors in Dodge?

A Mr. Chaptoue.

Q When was the last time you saw Mr. Chaptoue push a trash truck?

A Last time I saw Mr. Chaptoue push a trash truck out onto the sidewalk was Saturday morning. Saturday morning past at 6:15 a.m.

Q You watched him for a half-hour, did you?

A No, sir, I didn't watch him at that particular time. I just saw him when he was coming back to the building with the other gentleman, Mr. Chambers.

Q You saw him when he was coming back?

A Yes, they had the hand truck and everything with them.

Q And that hand truck was --

A Used and --

Q (Continuing) Empty when it was coming back?

A That's right, because they just come back from depositing it on the sidewalk.

Q Did you see them take another load back?

A No, sir. I was on my way home at that particular time.

Q So as far as you know, only one load was put out by Mr. Chaptoue --

A I couldn't say. I said I seen them coming back. How many loads they took out, I didn't know.

Q Well, you observed only one?

A I observed them coming back.

Q Once?

A That's correct.

#21 Q You testified that there are three light cleaners in the Journalism bulding.

A That's correct, sir.

Q Isn't that the building where the World Room is?

A Yes, sir.

Q What is this World Room?

A The World Room is where they necessarily hold the affairs, different type of affairs, different functions, different meetings. That can be set up as a conference room

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or it can be set up as a reception area.

Q What kind of floor does it have?

A It's carpeted, sir.

Q Is the room as big as this courtroom?

A About three times the size of it. Three to three and a half times.

Q Who is assigned to vacuum that room?

A The light cleaners. On occasion when there's a meeting, or say a function, I normally send a heavy cleaner up because of the heavy residue on the rug.

Q Do you know who the light cleaner is who usually cleans that room?

A This is done by a team. They use teamwork on this kind of thing.

Q Do you take the team off when there are meetings?

A What do you mean, take them off?

Q Well, you testified that you sent a heavy cleaner up when there are meetings.

A I send him up to do the carpet. The carpet. That has nothing to do with the cleaning of the furniture and everything like that. I just send him up to help out with the carpet. We're running late, it's 2:00 or 3:00 o'clock in the morning, I have got to put the building back in order and I have to do this kind of thing.

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Q And he helps out the light cleaners with the carpet?

A Yes. In other words, everybody jumps in to try to put the room back in order for tomorrow morning because we don't know, there will be a meeting at 8:00 o'clock or something in the morning, the room has to be made ready.

Q They do the carpet too, though, don't they?

A Pardon?

Q They do the carpet too, though, don't they?

MR. STITT: May we specify the "they"?

THE COURT: Who is that?

MR. STITT: And what occasion?

MR. BERKE: Excuse me. You are entirely correct, Mr. Stitt. Withdraw that question.

Q The light cleaners also do the carpet at that time, don't they?

A No, I normally don't. I have heavy cleaner try to take care of the whole thing while they get the -- they have got a lot of residue around, I mean, glasses all over the place and things of this nature, and we try to get all that sticky stuff up.

Q So you normally instruct the heavy cleaners to do that; is that true?

A I instruct the supervisor and tell him to do that.

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Q You tell the supervisor to do this?

A Oh, yes.

Q When was the last time you told the supervisor to do that?

A We had the Bancroft dinner, which I don't know whether it was one or two weeks ago, we had the Bancroft dinner there and they used this room that night. I just can't give the exact date when they had the dinner. It's in the space of two weeks.

Q Can you state categorically that the female light cleaners did not do the rugs that night?

A I wasn't there, but I instructed the supervisor.

Q What did you instruct him?

A I told him to get the big tank up and use it on it so we could get everything off the rug.

Q Did you instruct him not to have the light cleaners do the rug?

A Well, that's what I meant by it.

* * * *

THE COURT: Yes. Sustained. We have been all

through that.

Mr. Shervington, what you're saying is that from your experience at Columbia when you tell your supervisor to get the big tank up there, that means to him, and in accordance with your instructions, he sends a heavy cleaner with that particular piece of equipment and relieves the light cleaners of cleaning the carpet; is that right?

THE WITNESS: I normally do this for the fact is that we're running -- after you have an affair it runs to maybe 1:00 o'clock in the morning and we are running down on time, we have to clear the building. So this is one of the things I do.

THE COURT: What I'm getting at is, your instruction to your supervisor, "Get the tank up there," is your business shorthand saying, "Put the heavy cleaner in there with the tank and have the women clean the tables and the heavy cleaner will do the carpet?

THE WITNESS: Right. Yes, sir.

THE COURT: That is what that means?

THE WITNESS: Yes, sir.

* * * *

* * * *

[2190]

Q Now, you instruct the supervisor to send the janitor up with the tank. What tank are you talking about?

A It's a 610 Clark vacuum.

Q A 610 Clark? Is that also a wet-dry vacuum?

A That would be called a wet and dry pick-up.

Q Is that used during floods?

A Yes, sir.

Q To pick up the water?

A Yes, sir.

Q Isn't it a standing instruction to all light cleaners and heavy cleaners to use that vacuum in the case of a flood?

A I beg pardon, repeat that question there.

Q In case of a flood --

MR. STITT: Would you read it back, Mr. Reporter?

THE COURT: Read it back.

(Question read.)

A You mean the 612?

Q Yes.

A No, sir. Light cleaners don't touch that.

Q Have you ever seen a light cleaner touching any

wet-dry vacuum?

A No, sir.

Q Are you aware that Mrs. Belle Sievert, light cleaner, in Chandler, has used the wet-dry vacuum pick-up?

A Not to my knowledge she hasn't used that. That's normally always used by the heavy cleaners whenever we had flooding or things in that building.

Q But you don't know that she hasn't?

A I can't say that, sir. I wasn't there. I haven't seen it.

Q That's right. In the Mathematics Building you said there are two light cleaners and two heavy cleaners.

A Yes, sir.

Q Would you describe again for me what the light cleaner did.

A Light cleaners are responsible for all office areas, classrooms, seminar rooms. They are to dust, vacuum, remove fingermarks from walls. That's primarily what they do. And dust-mop floors.

Q Do you know Rebecca Phillips in Mathematics?

A Yes, I do.

Q Isn't she assigned to also clean the kitchen?

A A kitchen?

Q Yes, sir.

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A In Mathematics?

Q Yes.

A What do you mean, a kitchen?

Q Well, do you know of any kitchen areas in the Mathematics Building?

A I know one in the lounge area up there where they have a small hot plate or stove up there, that's about all.

Q What else? Do they have a sink in there, too?

A They have a sink in there.

Q Is she assigned to clean that?

A No, I don't think that's in Mrs. Phillips area. I think that's in Mrs. Lee's area.

Q How is that room cleaned?

A Well, it's a resilient floor which is dust-mopped, and it's soft chairs around, it's a regular lounge. It's just dusted like any other normal room.

Q Is it wet-mopped?

A When the time comes for it to be done.

Q Who does it?

A Heavy cleaners do that.

Q How often, do you know?

A In an area of this type, this room in particular, is probably done maybe about two or three times a week, maybe

more. It's according to spillage. What we have is spillage in these areas, you know, someone might spill a cup of coffee on the floor. Sometime it just requires the heavy cleaner to go up and he finds four or five spots on the floor and he removes it with cold water so it doesn't damage the wax surface.

Q When he goes up to remove those spots, when he spot-mops it --

A Yes?

Q (Continuing) Does he take those two 44 gallon cans and that dolly, does he take it up to spot-mop it?

MR. STITT: If your Honor please, I believe it is 44 quart pails.

MR. BERKE: 44 quarts.

A He probably doesn't use the twin. He probably uses a single which is a 44 single with a wringer on it.

Q 44 single?

A With a wringer on it.

Q It's got a wringer on it?

A Yes. It's on casters.

Q And it's on casters?

A Yes. You can just push it right along.

Q How does he push it?

#21 A Stick a mop in it and you just push it down the

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hall.

Q Push it down the hall?

A Or he can just do it by grabbing hold of the wringer.

Q Incidentally, when you got those pails with the wringers on them and you wanted to fill them, you take the wringer off, don't you?

A Yes, sir.

Q You don't lift the pail with the wringer on it?

A No, of course not.

Q Because the wringer would fall right off?

A That's true.

Q And usually, when you're filling those pails, how far do you have to lift them to the sink?

A Well, it all depends. In the older buildings you have about two feet you have to lift them. That's in the older buildings. In the newer buildings they have put in a different kind of sink which is on the floor. It's about that high (indicating) from the floor, from the floor itself, so all you have to do is just tilt the pail over and spill it right in.

MR. STITT: Indicating about --

MR. BERKE: Objection to Mr. Stitt's remark.

THE COURT: I would like the record to show,

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please, Mr. Berke, what the witness was indicating from the floor.

What is it, about eight or nine inches?

THE WITNESS: Yes, sir, about that.

THE COURT: Very good.

Q How many buildings have this new set-up where you have to tilt the pail?

A Any building that has been renovated. I think in the old gym they have been taken down and also placed onto the floor, if I'm not mistaken.

Q When you say "they," you are talking about the sinks?

A Yes, the sinks have been taken down and made almost on floor level. In the newer buildings like Mudd, Terrace, Uris, all these here are down on the floor.

Q Those fellows that work in the buildings where the sinks are high, they don't get any extra pay for lifting those pails, do they?

A No, sir, they don't.

Q Have you lifted those pails?

A Yes, sir. I lift plenty of them, but --

Q Is it your opinion that --

THE COURT: That is an answer, Mr. Shervington.

Q (Continuing) That tilting the pail and filling

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it and lifting the pail are just as easy?

THE COURT: I will sustain the objection.

MR. BERKE: Your Honor, the man has been qualified as an expert.

THE COURT: Your question calls for a conclusion. The objection is sustained.

MR. BERKE: May I approach the bench?

THE COURT: Yes.

(Conference at the bench - off the record.)

BY MR. BERKE:

Q Are you familiar with Thelma Williams, assigned to the Schermerhorn Extension?

A Yes, sir.

Q Will you describe it.

A Thelma Williams, she is what you call a split section. She works also in Fayerweather and she has a section over on the 300 level -- the 400 level, rather, in Schermerhorn. This area is just opened up recently.

Q Does she clean a bathroom in the dean's suite of offices in the Schermerhorn Extension?

A Yes, sir. That's a private toilet.

Q What are her duties in cleaning that bathroom?

THE COURT: Didn't I go through all this yesterday in my questions? Are you going to go through all this

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again?

MR. BERKE: If it has been gone through --

THE COURT: She said she cleaned the bowl, the toilet, and the floor was a resilient floor.

MR. BERKE: Sorry, your Honor.

Q You don't have to answer that, Mr. Shervington.

THE COURT: I think I asked those questions.

MR. BERKE: Yes.

THE COURT: Is anybody's recollection different?

MISS RODENHAUSEN: I believe you asked those questions of the witness when she was here, but Mr. Shervington was not asked any questions about Schermerhorn Extension by Mr. --

THE COURT: No. I ask, ladies and gentlemen, if you can give me the name of the witness who testified to it. Does anybody remember that?

MR. BERKE: I remember giving you the name, yes.

MISS RODENHAUSEN: You did that yesterday, your Honor. It wasn't tied into this building.

THE COURT: Well, this is the one I was addressing my attention to.

BY MR. BERKE:

Q Anyway, just to get the record clear, Thelma Williams cleans the bathroom in the Schermerhorn Extension?

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A Schermerhorn. Extension is another building.

Q Are women assigned to clean laboratories anywhere in B and G?

A What kinds of laboratories are you referring to?

Q Science laboratories.

A Yes, sir.

Q Where?

A Some in Pupin, Mudd.

Q What kind of labs do they clean in Pupin?

A This has to do with physics. The majority of what their comprises of is dust-mopping the floor and if there's a desk the student has, that is dusted off. But nothing else in there is touched. We are not allowed to touch any apparatus or anything of that nature.

Q Are special instructions given to these --

A Oh, yes. It's given to them by me.

Q Given to the light cleaners not to touch?

A Not to touch, that's right.

Q If they violated those instructions, then they could break something?

A Cause a lot of damage. Could set one of those people back maybe five years.

Q Do the men clean in those rooms?

A Yes, sir.

Q What do they do in there?

A The floor has to be stripped.

Q Do they clean in those rooms on a daily basis?

A No, sir.

Q When the floor has to be stripped, are there any instructions given to the occupants of those rooms to remove equipment?

A Yes, sir. We try to do this. But normally we don't have this kind of problem, unless it's something that the floor is really cluttered. I'll get information that a floor has to be done, if the supervisor informs me that I had better look at it, I go over and look at it and I'll say there's too much stuff on the floor, leave it alone and I'll leave a note for the party in the office to have the floor cleared and I'll do the floor for them.

Q Is it fair to say that there is more equipment out when the maids are working in there on a daily basis than when the janitors are in there scrubbing the floors?

MR. STITT: May we find out, out where, your Honor? On the floor? On the tables? On the desks?

MR. BERKE: Out on the floor and the tables and also everywhere in the room.

THE COURT: Also if the witness is in a position to give an answer to that.

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Do you know?

Q Only if you know.

THE COURT: Do you know?

A It's a routine thing. You do some days find that apparatus has been moved and moved to a central point where they are going to hook up or something like that. The next day you will probably come back and you won't find it there. Whatever they're using.

Q In Uris Hall you testified there were six heavy cleaners.

A Yes, sir.

Q Could you run through their duties again?

A We have one person who is responsible for the men's room, clean up the men's rooms throughout the building. Another gentleman is responsible for toilets. And there is certain rooms which are computer rooms. We have some men assigned to this because of the bulk trash in that area, these cards, these IBM cards and things like that, so he is responsible for the cleaning of this room.

And then we have corridor mopping, the lounges have to be done by them also. And whatever stripping or project work is being assigned to that section.

Q You say you have one man doing men's rooms, another man doing toilets. Could you differentiate what

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you mean by that?

A I'm sorry, I should say all rest rooms.

Q One man does all the rest rooms?

A That's right.

Q Another man does the corridors?

A Another man is responsible for all the staircases in the building. There is two sections of stairs.

Q What is he primarily doing, wet-mopping?

A Wet-mop these stairs each night, and he is also responsible to clean all the blackboards in the building.

Q Who does the trash in that building?

A The heavy cleaner.

Q Who? How many?

A Well, normally, there's a detail of two men on this. They come from the gym area.

Q The same men on the detail every night?

A Yes, sir.

Q So that the other four men don't do the trash detail?

A No, sir.

Q Does the trash in that building involve pushing out the carts?

A Yes, sir.

Q Do you know how long it takes?

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A To accumulate and get it together?

Q No, to push out the cart in that building.

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A They have got to go from University Hall which is in the center part of the campus between Amsterdam and they have to go from there to Amsterdam Avenue.

Q How long does that take?

A I would say about three-quarters of a block.

Q How long does it take?

A Just how long it takes them to walk there. I don't know. Five minutes, six minutes, eight minutes.

Q Is it your testimony they push a cart there, a trash cart?

A Yes, they have a trash cart, they have to take it out to the sidewalk for the D.S. pick-up.

Q I believe you testified that there was a 6:00 o'clock gathering of trash?

A Yes, sir.

May I explain something?

Q Sure, go on.

A May I?

Q Yes.

A We are talking roughly between the areas of 114th Street and 120th Street bounded by Amsterdam and Broadway. We have collection points which is the Department

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of Sanitation pick-up. Normally we have one outside of 118th Street which is the carpenter shop that takes care of Hamilton Hall, Kent Hall, Philosophy, Fayerweather, Avery, Schermerhorn are deposited on the avenue outside of 118th Street carpenter shop. It's brought out there and brought down to 119th Street gate.

Mudd, Terrace is brought out and deposited in that section also along with Uris, and Low Library comes across the top of the campus down the elevator and is deposited also up there.

We have another pick-up point which is Pupin. Due to the construction it's picked up on 120th Street outside of Pupin building. We have another pick-up point which is on 115th Street on Broadway.

Q What time do the men get to the pick-up points?

A I try to make it all by 6:00 o'clock so everybody gets out and gets back in.

Q Isn't it a fact that some of the men who do the trash just finished their bathrooms by 6:00?

A No. I mean, it is finished, the trash goes out at that time, so he stops whatever he is doing there and gets the trash together and we get it out and he comes back in. He has got to go until 8:30.

Q When the men do the trash don't they go and pick

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it up from the elevators first?

A That's right.

Q Who leaves it there?

A The light cleaner does.

Q And the men take it downstairs?

A They just pick it up from floor to floor and deposit it on the main floor of the building, or wherever the carts are, and they are packed on that floor and then they are taken out through the -- I'm talking about Mudd now, they are packed on that floor, four carts are packed on that floor and they are taken out through the Terrace building which is the garage, has the garage entrance, and up a ramp.

Q You're talking about a specific building now?

A I'm talking about a specific building.

Q Which one?

THE COURT: Mudd.

A Mudd. Up the ramp. And it is deposited outside the date there at 119th Street.

Q Is use of the buffing and scrubbing machine project work?

A Yes, sir.

Q This work is assigned in the same manner as the venetian blinds work you spoke of before?

A Yes, sir.

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Q You testified as an expert on the buffing machine before. Do you know the difference between stripping and scrubbing?

A Oh, yes.

Q What is the difference?

A Scrubbing a floor is when you are not trying to remove the entire finish from the floor. That's just like a mild scrubbing action. All you're doing is you're loosening up the top soil. You're not trying to take the finish off completely.

Stripping the floor is when you use a higher solution. What you're basically trying to do is remove the wax from that floor down to the base of the floor itself, the tile itself. That's the two differences.

Q Not all floors have to be scrubbed and stripped; is that correct?

A No, they don't.

Q What kind of floors have to be scrubbed?

A Resilient, terrazzo, these kinds of floors.

Q And what kind of floors have to be stripped? Same kind?

A Oh, yes. Whenever you put anything, any kind of

finish seal or anything on a floor, it must be taken off at a given point.

Q Is it fair to say that a building with more of the type of floors you have described would require more scrubbing than a building with less of that type?

A Yes, sir.

* * * * [2208]

Q In which building is the most use of the scrubbing machine required?

A Well, you have to take buildings that have resilient floors.

Q Which one has the most, would you say?

A Well, Mudd is 245,000, and Terrace is 122,000. That's all resilient. And Butler is 329,000, and the greater part of that building is all resilient floors.

* * * * [2210]

Q What is the reason for the stripping of floors being performed more often than the scrubbing of floors?

A What we have in certain buildings is the soil contents, the paths made by personnel walking down the hall which would wear the finish completely off the floor. You can't really buff a floor like that because it automatically

leaves a path in the floor. So what we try to do is give it an even surface by stripping the floor.

Q How long does it take for those cart marks to show when you have stripped a floor?

A They can show up anywhere from two to three weeks.

Q Are you Johnny-on-the-spot as soon as you see those cart marks?

A What with the process I use and all the supervisors use, we try to start at the top of the building and we come down through the building. That means we try to give everybody the same type of service from the top down. Quite naturally, I get notes from the superintendent of services requiring that a room needs to be refinished again. Although I have done it two weeks ago, I have to go back and do it again.

But the majority of time I try to come down straight through the building and this means that everybody gets the same type of service.

Q Mr. Shervington, when was the last time you assigned an overall job of stripping coming down floor by floor in the building?

A When you say assign, this is a standard thing with all supervisors. They know this. This is the procedure

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we use. We try, as I stated before, to give an even service to the entire building. If we don't do this, that means we'll be jumping all over the building and we don't know what we're doing. So what we try to do is go floor by floor and take care of this.

Q When was the last time one of those floor-by-floor projects was started?

A It's always in progress. The supervisor tries to stay with this, but he can't always stay with it because as I stated, I get notes at times from the superintendent of services that areas have to be done, and I have done them maybe two weeks ago and they have spilled maybe acid or something on the floor, or some other chemical that lifted the finish up off the floor, and the floor has to be refurbished again.

What we do, we try to hit this area, then we go back to the normal -- normally what we are doing.

Q When was the last time that one of these overall projects was done in the S.I.A. Building?

A S.I.A. Building is carpeted from the 700 floor to the 1500 floor, so that rules out any stripping up there. The lower floors, 600, 400, 200 and 100 are more or less what we operate on. The remainder of that building is completely carpeted.

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Q When was the last time one of those projects --

A That project is always in process. That's always in process. It's one of the things we basically try to do. We try to stay and make it a uniform thing. This way here we --

Q But you described buffing before as a project work, did you not, stripping and scrubbing? Did you describe that as a project work?

MR. STITT: If your Honor please, I don't believe that the suggestion of inconsistency is called for here.

THE COURT: Overruled.

Q You described the stripping and scrubbing of floors as a project work, did you not?

A Yes, sir.

Q Didn't you further say that the individuals, the heavy cleaners throughout the building had regular assignments either to do bathrooms or corridors or stairways or pick up trash around the building? Did you say that?

A I certainly did.

Q Isn't that true?

A That's true.

Q Now you're telling me that scrubbing --

THE COURT: No, no. Sustained. Sustained. "Now you're telling me." Sustained.

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Q Isn't it true then that scrubbing and stripping is not a regular duty of the janitors?

MR. STITT: I object to the form of that question.

THE COURT: Yes, I will sustain the objection.

Q Isn't it true that scrubbing and stripping is not performed on a daily basis by men who are assigned on a daily basis to do bathrooms?

A If I'm correct in what you want to know, a person who is --

Q No. Answer my question.

MR. STITT: Now, if your Honor please, he started to answer the question.

THE COURT: Yes. Mr. Berke, please.

THE WITNESS: Sir?

THE COURT: Go ahead, Mr. Shervington.

A A person who is assigned normally to clean rest rooms, this is a must. It's a sanitary condition which we require that this be done each night. So someone must be assigned to this. I can let the stripping of a floor go. I'll take a man off a machine and I'll put him in a toilet because this is necessary. It has to be done.

Q And stripping is not necessary?

MR. STITT: I object.

A Not to the extent that if I'm short of personnel.

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Q It does not have to be done?

MR. STITT: I object to the form of that question.

THE COURT: Sustained.

A It has to be done at times. It has to be done sometime.

CROSS-EXAMINATION (Continued) [2219]

BY MISS GOODMAN:

Q Mr. Shervington, do the women, when they pick up the trash, the garbage, small garbage baskets --

A Waste baskets?

Q Waste baskets, do they ever use a barrel that's on wheels?

A Yes, I have this in Butler Library. This has been for about 12, 13 years where we have this type.

Q Can you describe the size of the barrel?

A It's about that wide (indicating).

Q Indicating two feet.

THE COURT: Two and a half feet across, maybe.

A And about this tall (indicating).

MISS GOODMAN: About three feet or four feet, your Honor.

THE COURT: Three feet?

A It's on casters.

Q Is it three feet with the casters?

A It's on casters so it can be easily -- it's moveable all over the area.

Q And they put the --

A They put a plastic liner in that and they dump the wastepaper basket in and just pull it out.

Q This also has a capacity of about 30 pounds of waste in it?

A That's correct.

Q And they must pull it up from the three feet?

A Just pull it out.

Q So that when it is fully extended it is three feet plus three feet, which would be about six feet when you pull it out?

A No.

Q How do you get it out?

A The bag is not six feet.

Q But if you have to pull it up over the top of the barrel you have to pull it another three feet, so you have to pull it up six feet?

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A When you grab on to something like this with open area quite naturally you bring it up this way (indicating).

Q Right.

A Now, she probably brings it up above shoulder level.

Q Wouldn't you think a little higher?

A No.

Q Wouldn't you have to pull it out three feet?

A No, just pulls it out like that (indicating) and over the side and down.

Q How do you clear the top?

A By just pulling it sideways. It will clear itself. What you have is loose paper, it's not solidly packed. If it was packed I would say yes, it's different.

Q But it could be 30 pounds?

A Yes. Less. 30 pounds, less.

Q Ordinarily you do have to pull it up above your shoulders to get it out of the barrel?

A Oh, yes.

* * * *

[2228]

Q The alternate schedule, that means that every office still gets cleaned?

A On an alternate basis.

Q On an alternate basis. At least half of the

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offices are cleaned every night?

A Correct.

* * * *

Q One other question: The classrooms, the laboratories and all those areas that the maids, the light cleaners have responsibility for, are still cleaned on a regular

basis?

A All those which we consider public areas.

MISS GOODMAN: Thank you, Mr. Shervington.

THE COURT: Mr. Shervington, you were asked about a Mr. Sampson who was a heavy cleaner that did certain work?

THE WITNESS: Yes.

THE COURT: I believe it was in the law school.

THE WITNESS: Yes, sir.

THE COURT: And you said that there had been a changeover some six months ago in the way he performed his work, or the nature of his duties or something.

THE WITNESS: What I was alluding to sir, I was getting an enormous amount of complaints on the classroom areas, as they were just being dust-mopped, that means that coffee stains and everything was still on the floor. And this way here I felt that if I put a heavy cleaner in to heavy mop these areas we would get so many of them done every day and it wouldn't look that bad. This is why I made the change.

THE COURT: I see. In other words, prior to that time there had been a light cleaner?

THE WITNESS: Yes, sir.

THE COURT: And you got complaints about the

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quality of the cleaning?

THE WITNESS: Yes, sir.

THE COURT: And thereafter I take it the light cleaner had only dusted, dust-mopped?

THE WITNESS: Yes, sir.

THE COURT: And thereafter you put in Mr. Sampson and you had him wet-mop in those areas on a regular basis?

THE WITNESS: Yes, sir.

THE COURT: All right, thank you very much.

Mr. Stitt, do you have any redirect?

MR. STITT: Just a few questions, your Honor.

THE COURT: All right.

xvx

REDIRECT EXAMINATION

BY MR. STITT:

Q Mr. Shervington, you were asked questions on cross-examination about Mrs. Dickens, and then Mr. Reyes and the building 540, if I may use that term, located across the street with regard to the Butler Library.

Do I understand there came a time when Mr. Reyes took over from Mrs. Dickens in that area?

A Yes, sir.

Q How did Mr. Reyes responsbilities for that building differ from Mrs. Dickens'?

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MISS GOODMAN: Objection, your Honor. There is no foundation yet that it was different.

Q If it did differ, Mr. Shervington.

A The reason for the change was for security reasons. By this I mean we had to escort Mrs. Dickens across the street, one of my heavy cleaners had to take her across the street into the building and see that she was secure in the building and at the particular time she was coming out of the building he had to go back over there and bring her back into the building.

Q When you say, "to make sure she was secure in the building," was she locked in that building?

A Yes, sir.

Q Then when it was thought that her time cleaning was completed, someone would go over and unlock the building and escort her back?

A Yes, sir; bring her back to Butler.

Q Were there any special arrangements made concerning the transportation of any of Mrs. Dickens' equipment from Butler to 540?

A Whenever we had to like take the vacuum upstairs I ordered the heavy cleaner to have it taken to the top of the house.

Q Does Mr. Reyes get that kind of service at 540?

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A No, sir.

Q Does he provide his own security while he's over there?

A Yes, sir.

Q You were asked questions by Miss Goodman about a White, and it is a capital W, model utility, or collection cart. Are you familiar with that machine, Mr. Shervington?

A Yes, I am.

Q Are there any features in that machine which contribute to its maneuverability or pushability, if I may use those terms?

A Well, it's on ball-bearing wheels. I mean, it can be manipulated in any direction by just putting pressure, applying pressure on the handles. You can turn it around, swivel it around.

Q Where is the handle located on the machine?

A It's on the back part of the cart.

Q Right about at chest level?

A Yes, sir, just about right here (indicating).

Q Have you had any complaints about maids who were using that White machine?

A Complaints about the use of it?

Q Yes.

A No, I never had. Nobody ever complained to me

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about it.

Q Have you had any requests by maids who might be using the White cart to have instead a barrel on wheels like the type Miss Goodman just referred to?

A No, sir. I never had. Nobody ever asked me to change them or anything like that.

Q Have you had any claims asserted by any maids for heavy cleaner pay for the time that she spends pushing that White cart?

A No, sir.

* * * *

Q You were asked questions, Mr. Shervington, about a wet-dry vacuum by Mr. Berke, and I believe you mentioned a Clark 612 wet-dry vacuum?

A Yes, sir.

Q I don't find any reproduction of 612 wet-dry vacuum in the photographs received collectively as Exhibit R, but I do find reproductions at pages 16 and 17 -- excuse me, also 15 of what has been identified as the Atlas model wet-dry vacuum.

Would you describe this Clark machine for us, and if possible, relate it in size and weight and capacity to the Atlas machine which is reproduced in that exhibit (handing)?

#27

A They principally do the same type of work. Water pick-up, or you can insert the bag for vacuuming of carpets. The weights are a little different.

Q All right. Give us the weights of each, Mr. Shervington.

A The weight of a 612 is anywhere from 60 to 75 pounds.

Q And the Atlas?

A That's a little heavier. That runs about 80 or 90 pounds.

Q What is the capacity of each of those machines,

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Clark and Atlas?

A I believe about 15 gallons of water.

Q What is the size of the tank itself on the Atlas machine, the full capacity if it were filled right up to the top? Can you tell from that photograph?

A About 15 gallons.

Q About 15 gallons?

A Yes.

Q Mr. Shervington, is there a third model of wet-dry vacuum that is used at the University to your knowledge or recollection?

A We have mostly Clarks and Tornadoes. Tornadoes. And I think I just have one, I think it's called an Ullman or Pullman, I really don't know. It was there before I came to the University.

Q Is that one down at Butler, or was it?

A It's in Butler, I believe. I don't think we use it anymore, might as well discard it.

Q What is the weight of the Tornado machine and how does it compare with the Clark and Atlas?

A The Tornado is more or less on the same level as the Clark.

Q And the Tornadoes, heavy cleaners use these wet-dry vacuums regardless of weight?

A Yes.

Q Do they get premium pay when they use these wet-dry vacuums?

A No.

* * * * [2238]

XVXV

RECROSS EXAMINATION

BY MISS GOODMAN:

Q You testified earlier that all of the heavy cleaners gather at a gathering --

THE COURT: No, no, you're going to ask about the lady who was escorted to an off-campus --

MISS GOODMAN: Your Honor, I would like to show that other people have security measures --

THE COURT: No, I'm going to limit it only to this. We have got to have an end to questions and cross-questions. I have allowed you to come back with a second round of cross-examination and I am now giving you a third; now let's limit it to what was raised on the redirect which has to do with the lady who was escorted to the building off-campus.

MISS GOODMAN: Well, we could only do that by

comparison. I'm not questioning that she was escorted, but weren't other people escorted to their buildings?

THE COURT: Why don't you ask that?

BY MISS GOODMAN:

Q Are any other people escorted to their buildings?

A No.

Q Are all buildings locked and people locked in them at night?

A Yes. They have regular closing schedule on buildings.

Q So I come in, I report, if I'm a light cleaner or heavy cleaner, I report to work, I go to my station and we are all locked in for security purposes?

MR. STITT: If your Honor please --

A The entrance doors to the buildings are locked. This is the closing schedule for when the University closes down for the night.

Q A woman comes down at 5:30 at night, is she escorted?

A I believe the security personnel -- usually there's a guard on the college walk, when she comes out of the subway, he usually is there to see her.

Q Is she escorted to her building?

A He usually goes around to where she is.

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Q Is there somebody from Buildings and Grounds assigned to take her over?

A That I don't know.

Q She is your responsibility, though?

MR. STITT: I object to the form of that question.

THE COURT: Sustained.

Q She is within your supervisory authority?

A When she comes in.

Q And you have not assigned anybody to escort her?

MR. STITT: If your Honor please, I believe the testimony has been on security and personnel meeting her at the subway.

THE COURT: Yes.

A I think this is something which the security guards more or less do, they look out for her.

Q Is it your testimony that this security guard on campus walks over to the subway and waits for her?

A There is a guard stationed on college walk at all times.

Q You're not suggesting he goes over to the subway and picks her --

A No, he doesn't. He is on the walk, he can see the subway.

* * * *

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JOHN - C. GARDNER, called as a witness in behalf of defendant University, having been first duly sworn by the Clerk of the Court, testified as follows:

MR. STITT: Your Honor, the record will show that I am circulating Exhibits S-1 and T-1 among my adversaries. [Handing.]

***

DIRECT EXAMINATION

BY MR. STITT:

Q How old are you, Mr. Gardner?

A 57.

Q Would you give us a statement of your educational background.

A I did my undergraduate work at the Columbia University School of Architecture, got a BS degree, my Masters in Columbia University, major in administration of higher education.

Q When did you get your Bachelor's Degree and when did you get your Master's Degree?

A In 1961 and 1963.

Q Would you give us a statement of your employment and professional background, and include in that Military Service.

A I was in the U. S. Navy from 1935 to 1939. I got

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out of the Service as a ship fitter petty officer.

Q What vessels did you serve on during that time?

A The USS Idaho, the Chaumont, the Vestel, the Nitro.

Q Continue.

A I then went to work for U. S. Steel, the Federal Shipbuilding & Drydock Company, as a ship fitter foreman and an outfitting superintendent. About seven years there. I then left there and went to work for Tidewater Oil in charge of their construction repair and maintenance for the northern part of New Jersey and came to Columbia University in 1951, July 2nd.

Q What was your position when you first came to Columbia University at that time?

A Superintendentent of maintenance.

Q In what department?

A B and G. Buildings and Grounds.

Q Has that always been your department right to the present day?

A Yes, it has.

Q Would you tell us your various positions within the Buildings and Grounds Department.

A Well, I was promoted to plant manager, I am not sure of the exact date, but within three or four years. I

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was then promoted to superintendent of services in 1959, assistant director from 1963, I believe, and social director in 1965, director in 1969.

Q Have you written any articles, or authored any publications in the field of institutional maintenance or cleaning?

A Yes, I have written over a hundred articles in that field. I wrote a book on the subject known as Program Sanitation.

Q Have you given any lectures in this general area that I just specified?

A Numerous.

Q Have you observed wet mopping and dust mopping going on at the University within the azeis of the Buildings and Grounds Department?

A I have.

Q Mr. Gardner, I am going to ask you to assume that it has been suggested during the course of this action that the duties of wet mopping and dust mopping are equivalent.

I ask you, do you have an opinion on that subject?

A I don't see how that statement could be made. They are not.

* * * *

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Q Mr. Gardner, would you describe for us the factors involved in wet mopping and the factors involved in dust mopping --

MISS LIBOW: Could we have a specified time and place, please.

THE COURT: To the extent that it is appropriate if you can, do.

Q Address yourself to Columbia University from, say March, 1971, to the present time, Mr. Gardner.

A And the question is, what is the difference between dry mopping and wet mopping operations?

Q That is the guts of it, yes.

A With the dry mop the application is a very simple, and I might say straightforward --

MISS GOODMAN: Objection and I move to strike. "Simple" is a conclusary statement.

MR. STITT: If your Honor please, we have got four or five words out of this witness after quite a harangue and colloquy and I ask he be permitted to finish

his answer.

THE COURT: Let him finish and maybe we can separate from him what is confusion and what is fact and get the record along in that fashion.

Go ahead, Mr. Gardner.

A The dry mop is used by a person on a, usually a resilient floor and is pushed directly in front of the individual in a rather simple manner with one hand, and usually down the length of the hall, the length of the room, turned without picking up, back down again, and again I repeat a straightforward type operation. A person is usually trained in this operation in a matter of minutes. In some cases five minutes. If a person doesn't catch on maybe ten or fifteen minutes.

Wet mop application is an entirely different procedure because there are other tools applied, other pieces of equipment used.

Q Such as?

A For example, one has to have a pail, or a mopping tank with a solution in it, whether it be water or water and a detergent or some mix. It also have to have a wringer so that you could wring out the mop.

The mops come in different sizes, from at least a twenty-ounce to a heavy as a 32-ounce for our type of

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work. In this application the individual has to walk backwards. He does not, or she does not walk on top of her work. They proceed to lay down the solution and swing the mop from side to side in sort of a figure eight motion and proceed to walk backwards. This is difficult for some people. We have had people who tend to walk around in circles, they cannot take a straight path backwards. It's also difficult if the area is cluttered, because you can stumble over objects. It's not easy to do.

Furthermore, the application of the solution has to be handled with care because you can slop up baseboards and furniture and create more damage than is necessary with this type of an operation. The mop has to be wrung out occasionally so that there is another application of using another piece of equipment, and this is sometimes not easy for people to get the hang of. You want to leave a certain amount of solution in the mop.

And, of course, this equipment has to be cleaned up, stored and put away so it is a different operation. And sometimes it takes us four to six hours of training to get this technique across.

Q Is there any --

THE COURT: Mr. Stitt, before you move on, I will strike from that answer the witness' observations as

to the ease or the difficulty of the task. I will permit to stand a description of what the task involves in factual terms, but there is stricken from the answer his observations as to its ease or its difficulty.

35

MR. STITT: I believe I can live with that ruling, your Honor, and I appreciate it.

THE COURT: Mr. Gardner, I take it that your observations that you have given us are based upon what you have seen and supervised being done at Columbia University.

THE WITNESS: In addition to training and actually doing the work myself.

THE COURT: Very good, sir. Thank you.

Q Mr. Gardner, is there any difference in the amount of weight that a wet mop will pick up during the course of an eight-hour shift as result of its use and the amount of weight that a treated dust mop will pick up during its use in a comparable period?

A There's quite a difference, yes.

Q Tell us about that, please.

A Well, the treated mop is used for a one-week period. We have a contract service so they are picked up and exchanged each week. During the course of a week it might pick up a quarter of a pound of dirt at the most.

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We have weighed these mops on various occasions to determine their efficiency, you might say, to see if they are doing the work.

Q Isn't it true that you made such a weighing comparison between a new mop and a used mop at my request?

A I did.

Q And you found a quarter of a pound difference?

A We found a quarter of a pound difference.

MISS GOODMAN: Could we get some specification as to time, place, what mop?

THE COURT: Surely. When was this done?

THE WITNESS: This was done yesterday at about, I'd say, eleven o'clock yesterday morning. The last time I had it done.

MISS GOODMAN: We still have not located where it was and what mop was used. Like when we brought in the pail that Mr. --

THE COURT: Establish what he did to get to this figure, if you will.

MR. STITT: Yes.

Q Would you answer the judge's question.

A This was done in the Low Library, the Administration Building, down in the basement. We have a scale that's used by the post office and our mail delivery service.

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THE COURT: And you took a new mophead, and where did you get the mophead that had been serviced?

THE WITNESS: In the maids' closet. It was ready to go out for return.

THE COURT: In other words, you got a mophead from a maid whose day it was to turn hers in for a new one?

THE WITNESS: That's correct.

* * * * [2475]

Q How about a wet mop, Mr. Gardner, what weight will it take on during a shift's use?

A Well, it would vary depending on the size of the mop. As I said before, they run from 20 ounces, 24 up to 32 in our line of work.

Q Take a 24-inch, or a 32-ounce mop or both.

* * * * [2476]

Q And assume a shift, say eight hours, Mr. Gardner, how much weight would either or both of those mops pick up in additional fluid or moisture during the course of that work?

A Well, on the first application into the solution the mop can pick up anywhere from a quart to two quarts of solution.

MR. BERKE: I object. No foundation as to his knowledge. We don't know that he weighed any mop. We don't know that he has used a mop.

THE COURT: He has used this. He said earlier

all of this was based upon what he observed in his position, and the fact that he had used this very equipment.

Is that right, Mr. Gardner?

THE WITNESS: That is correct, sir.

MISS LIBOW: We don't know when he is talking about either, your Honor.

THE COURT: Why don't you cross-examine him? This is a hypothetical question put to him as of now.

Q Does a gallon of water solution weigh approximately eight pounds, Mr. Gardner?

A Approximately, yes.

Q Continue with your answer, please.

A I would like to add to that, because we have done this quite a few times because I have had to determine how much solution is required to do certain areas, so it's not a unique thing. We do this all the time. And then we measure back our solution that we started with to see how much was used for example on a thousand square feet of flooring. How much finish would you need, and so on.

Well, so immediately the mop does pick up additional weight, two to three to four pounds, depending upon the condition of the mop, the size of the mop and the solution.

Then it is worked with with this additional weight until it loses its solution on the floor and goes back to

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a semi-dry or damp type situation where it retains a certain amount of moisture. It is again put into the solution and this is a matter of minutes, and wrung out to a certain degree and more solution applied to the floor.

So that once you start with a wet mop you sort of continue with an average additional weight beyond the ounces of mop of two to, maybe two quarts of water. If you're picking up and there is a flood, a man might pick up a tremendous amount of water at a fast pace, get rid of the water off the floor.

MISS GOODMAN: I move to strike that as --

THE COURT: Yes, strike the last part.

Q Approximately how much additional weight would such a mop have after it has been wrung out, say, for the last time on that eight-hour shift?

MISS GOODMAN: Clarification, your Honor. He talked about a couple of mops. Which one is such a mop?

THE COURT: Is this the 32 you're talking about?

Q Which mop did you have in mind?

A 32-ounce.

Q 32. Well, continue with that one, please.

A 32 ounces. It would have possibly a half a pint of moisture in it.

Q Is there a recommended procedure for removing

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dust from mops periodically?

A The treated dust mop, yes, there is.

Q What is that?

A It's a simple procedure. When the person edges up to the end of the sweeping area to hold the mop up straight off the floor approximately an inch or two off the floor and just give it a couple of shakes and the loose material will drop out at that corner. And then proceed with the mopping again, and you do this periodically so you don't keep the dust there throughout the proceeding.

Q And you don't use a wringer to remove that dust?

A No.

Q And you don't use any watery solution in pushing it down the hallway?

A No, it's a dry mop.

36 Q Mr. Gardner, within your department do you have a responsibility for the preparation and the keeping of job descriptions?

A Yes, I do.

Q Did you have that responsibility back in 1969 as well as today?

A Yes, I did.

Q Would you tell us what your procedure is with respect to the preparation of job descriptions?

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A Well, all job descriptions throughout the department have to, Number One, be signed by me, and they generally are prepared by me and reviewed with the respective divisions.

For example, if it's in the maintenance division we review this with the carpenter foreman, plumbing shop foreman and so and the housekeeping division would be reviewed by the superintendent of services.

Q Well, when we're talking about maids and janitors or light cleaners and heavy cleaners, which branch would we be in?

A That's the housekeeping division,and it would be reviewed by the housekeeping superintendent.

Q Is it customary to date the job descriptions with the date of preparation?

A As a matter of fact, that is the first thing that is put on the job description is the date.

Q What is the last thing that is done with the job description?

A Well, I sign it and then, of course,it's ready for issue, for use.

Q I am going to show you Exhibits S and T in evidence. Would you tell us, if you can, what those documents are, Mr. Gardner? [Handing.]

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A Well, T is a job description for the position of maid dated November 6, 1969, and signed by me.

Q Would you tell us when about that document was prepared?

A When was it prepared?

Q Yes.

A It was prepared on or before November 6, 1969.

Q Would you address yourself to Exhibit S.

A S is a job description for a janitor dated November 6th, 1969, signed by me.

Q Are these job descriptions kept in any particular place within your office or jurisdiction?

A Yes. The original never leaves my office except for duplication either by myself or a responsible superintendent, and copies of these documents rest with the respective divisions and the personnel office.

MR. STITT: May I have Exhibits S-1 and T-1, please? Thank you, Mr. Dryfoos.

MR. DRYFOOS: You're welcome.

Q Mr. Gardner, I show you two documents which have been marked Exhibits S-1 and T-1 for identification. [Handing.] Would you examine those for us and tell us what they are, please?

A Well, T-1 is a duplication of the T except that

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it has been updated and where we describe position, or state position we say, maid/light cleaner effective 7/1/72.

Q Is that your signature at the bottom?

A That is my signature and everything else is the same.

Q And Exhibit T-1?

A S-1 --

Q Excuse me.

A S-1 has a November 6th date, the same as Exhibit S has, and is the same except again the position states, janitor-heavy cleaner effective 7/1/72. No change.

Q I notice to the left on each of the two exhibits marked for identification, T-1 and S-1, there appears to be a margin with three partial circles. Can you tell us what those are, what they indicate?

A Well, the original job descriptions in my book in my office are kept in a transparent type cover to protect them, and apparently what they did here was to not remove the document from this plastic cover and duplicate it on a machine so it showed through with the binder on it.

Q Is it your testimony, Mr. Gardner, that the originals of S-1 and T-1, being Xerox copies are in the book that you just described in your office?

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A They are.

Q Were these copies reproduced at my request last Friday?

A They were.

MR. STITT: Your Honor, I submit that Exhibits S-1 and T-1 marked for identification have been authenticated, and I offer them in evidence. I have shown them previously to my adversaries.

* * * *

[2484]

*** [Defendant University's Exhibits S-1 and T-1 received in evidence.]

* * * * [2485]

Q I ask you, Mr. Gardner, although I thought I had brought it out before your Honor, are Exhibits S-1 and T-1 in form and content currently in effect within your department at Columbia University?

A They are.

* * * * [2497]

Q Mr. Gardner, as director of Buildings & Grounds do you make it your business, or do you not make it your business to be kept informed of grievances, including union

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grievances?

A This is a regular procedure, I am to be kept informed of all grievances.

* * * *

MR. STITT: Your Honor, at this time I call attention to the Secretary's Exhibit 131 in evidence which has been received as a memorandum entitled, "Job Description", dated August 1, 1963 bearing the signature of Mr. Gardner. It contains this statement: "There are definite established

divisions of work and equipment between service department maids and janitors --"

MISS GOODMAN: Objection, your Honor. The document speaks for itself.

MR. STITT: [continuing] "for your convenience I am furnishing you the following job descriptions. It should be noted that a janitor is required to perform all of the maids' duties, but the reverse is not permitted."

BY MR. STITT:

Q I show you this document, Mr. Gardner, and I ask you do you recognize it? [Handing.]

THE COURT: Please, gentlemen, would you take your seats at the back, too?

A Yes, I recognize it.

Q Do you recognize any stamp on that document?

A Yes, I recognize our office stamp.

Q That is the Department of Buildings & Grounds?

A Yes.

Q What is the date of the stamp?

A August 6th, 1963.

Q What is the date of the memorandum?

A August 1, 1963.

Q Would it be your testimony that you prepared this memorandum in or about August 1963?

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A I did.

MR. STITT: Your Honor, this document was received over my objection which I did not waive, but I would like to question this witness about this document.

THE COURT: Go ahead.

Q Mr. Gardner, I am going to ask you to refer, if you will, to the equipment section or sections with regard to that memorandum, and I will ask you if you can find references under both categories to such items as wet mops, mop pails, treated dust mops and push brooms.

A I do, yes.

Q Do you find any difference in the range as opposed to maid and janitor with respect to those four categories?

A There are differences, yes.

Q What are those differences?

A Well, under the maids' equipment, the wet mops are 20 and 24 ounces.

MISS GOODMAN: Objection, your Honor, the document speaks for itself. It is in evidence.

THE COURT: Are you going to then go on to something else based on that?

MR. STITT: Yes, your Honor.

THE COURT: All right, proceed. If that is as far as you are going --

MR. STITT: Your Honor, that would have been the substance of my examination, simply to bring out through this witness the differences in equipment. In that regard the document does speak for itself. Mr. Gardner's testimony would simply have been to point up those differences, and I will be content to rest on Labor's Exhibit since the Department did offer this into evidence.

THE COURT: Very well. We will take a ten-minute recess. I take it that completes your direct examination.

MR. STITT: That does complete my direct examination, your Honor.

* * * * [2522]

Q Are you familiar with the job title guard-janitor?

A Yes.

Q When was that established?

A That was established in the Prentiss Building in about 1951.

Q Is it still in existence?

A It is still in existence, yes.

Q Why was that job linked to the janitor's job?

A Because it was a small operation and we could not afford to hire a man for two days only, so to fill in the complete manpower for a forty-hour week we split the job.

Q Is there any reason why it couldn't be maid-guard?

A If we had had a maid down in the building.

Q Would they have to be in the building?

A Oh, yes. This job is remote from the main campus, it's at 125th Street, in a rather bad neighborhood to say the least. There are no maids in the building. The staff are heavy cleaners or janitors.

Q So you linked that job, the guard job only with the --

A We tend to link that one, yes.

* * * * [2525]

Q I show you these posted notices. Are these all for the same job in 1972? [Handing.]

MR. STITT: Have they been marked, counsel?

MISS GOODMAN: No, I'm not having them identified yet. The witness hasn't identified them.

Q This is the original?

A 1970.

Q Yes, that's a job description. Those are notices that would appear to be open jobs. Is that all the same job?

A It appears to be, yes. It says, Buildings & Grounds, in the Prentiss Building, the hours are different or it could be two different jobs. One indicates off Friday and Saturday, the other indicates off Wednesday and Thursday. So they are different.

Q So there are probably at least two people on that?

A This indicates that there are two people doing that.

Q As far as you know they are both men?

A As far as I know, yes.

Q As far as you know there has never been a woman in that --

A No.

Q Has there ever been consideration of the possibility of making it maid-guard or light cleaner-guard?

A No, because of the nature of the neighborhood and the fact that they would have to travel down there all by themselves at the still hours of the night.

Q And it is your feeling a woman couldn't do this?

A I would hesitate to take on the responsibility. It's a lonely position and an isolated building, because she would be all by herself without any help.

* * * * [2557]

CROSS-EXAMINATION

BY MR. DRYFOOS:

Q Mr. Gardner, were you a member of the University's negotiating team in 1972 with respect to the negotiation of the collective bargaining agreement with Local 241 and with the Transport Workers Union of America covering the Building & Grounds Residence Hall and guard employees?

A I was.

Q Is your recollection that -- and I use the word "union" to refer to the International and to Local 241 -- that the union proposed in 1972 that the wage rates for janitors and maids, then to be known as heavy and light cleaners, be equalized at the heavy cleaner rate?

MR. STITT: Would the Reporter read that question back, please.

[Question read.]

MR. STITT: Thank you.

A I don't recall it, no. My impression was that it was a percentage type approach for everybody.

Q Were you shown the written union proposals that were submitted to the University's negotiating team in 1972?

A I was given a copy of the proposals.

MR. DRYFOOS: Would you mark this Union Exhibit C for identification, please.

*** [Union Exhibit C marked for identification.]

BY MR. DRYFOOS:

Q I show you Union Exhibit C marked for identification, Mr. Gardner, and I refer you to Item 46 and ask you if this refreshes your recollection of the union's proposed equal pay for janitors and maids, 1972. [Handing.]

A Yes, I see it.

Q Does that refresh your recollection?

A A little bit, yes.

Q And it is now your recollection that the union did propose that the wage rates of maids and janitors, heavy cleaners and light cleaners, be equalized at the higher rate of pay?

A As part of that enormous list, yes.

Q What is your recollection as to the University's response to that union proposal?

A If I recall, this was not -- it seems to me that there was a request to delay action on that proposal due to the pending litigation, or whatever you call it that's

going on at the moment.

Q Are we speaking of 1972 or 1974?

A Yes, I'm thinking of at that time. If I recall the position was that we should not get involved until things were squared away.

Q This was the position of the University?

A The University.

Q What do you mean that you should not get involved, that you should not pay equal pay to janitors and maids?

MR. STITT: I object to the form of that question.

THE COURT: Sustained.

MR. DRYFOOS: Withdrawn.

Q Would you explain what you mean by not get involved.

A Well, my understanding was that it would be better to see how the court case developed and what happened before we --

Q With respect to what?

A The maids and the janitors, or heavy cleaners and light cleaners.

Q From whom did you receive this understanding?

A Well, in the gist of the negotiations at the bargaining table. I don't recall just who said it, but it could have been our attorney or --

Q So it was the University's position at that time

that pending the outcome of this litigation the University would not agree to the union demand that we have just spoken about?

MR. STITT: I object to the form of that question.

THE COURT: Yes, I will sustain that objection.

Q To your knowledge has the union ever prevented the University from paying maids the same wage rate as it pays janitors?

A Yes.

Q How so?

A In every contract. The contract is very clear as to the wages that will be paid to maids and the different divisions.

Q Would you tell us how they prevented you from paying them?

MR. STITT: If your Honor please, I believe the question has been asked and answered.

MR. DRYFOOS: No, because Mr. Gardner is drawing what he thinks is a legal conclusion, and --

THE COURT: But your question called for it, and there was no objection so I permitted it, so you asked a conclusary question and you got a conclusary answer.

Q In 1972 the union proposed equal pay for janitors and maids at janitorial rate; is that correct, Mr. Gardner?

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MR. STITT: I object to the form of the question.

THE COURT: The proposal is contained in Exhibit C marked for identification. The union made such a proposal to this witness' knowledge.

Go ahead.

Q Is that correct?

A It is listed as one of the items, yes.

Q And that item was rejected by the University; is that correct?

A It was, I think a better term, tabled in a sense and without too much pressure.

Q The employer did not agree to that proposal; is that correct?

A We thought that it would be best if we tabled that--

Q Is that correct, that the employer did not agree?

THE COURT: It has been answered.

Q Were you a member of the 1974 collective bargaining team?

A I was, yes.

Q And once again, did the Transport Workers Union propose equalization of pay at the janitor rate for heavy and light cleaners?

A It's quite possible, yes.

Q Is it your recollection that they proposed equali-

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zation of pay?

A I believe you are correct, yes.

Q That is your recollection. That is your recollection?

A I said yes.

Q And did the University accept that proposal?

A It took --

Q Did the University accept that proposal? It either did or did not.

A When you say accept, we accepted all of the proposals. I think there were some half a dozen.

Q Did the University agree to that proposal, did it agree to embody that proposal in the collective bargaining agreement of 1974?

A No, it did not.

* * * *

JOSEPH HANNABERRY, called as a witness in behalf of defendant union, being first duly sworn by the Clerk of the Court, testified as follows:

DIRECT EXAMINATION

BY MR. DRYFOOS:

Q Are you the Joseph Hannaberry who is the vice president of the Transport Workers Union of America and a defendant in this case?

A I am.

Q Would you state your occupation.

A I am an International vice president of the Transport Workers Union.

Q Would you chart for us your chronology with the union in the transportation industry.

A Well, I was hired in 1942 by Third Avenue Railway as a busy and trolley operator, and became a shop steward, then a chairman, and at that time we had elections of business representatives, I was elected a business representative in 1949.

About six years ago I was made a -- appointed an International vice president, and at the last convention I was elected an International vice president.

Q What are your responsibilities as an International vice president?

A I have the responsibility of negotiating contracts in all of the locals that deal with transportation from here to San Francisco, through New Orleans and Texas, Florida. And also in this new UMTA situation that's coming up in the last six or eight years, we have the responsibility of negotiating a 13-C agreement.

Q When you say UMTA, is that the Urban Mass Transportation Act?

A That's right.

Q Would you tell us some of the bargaining units and contracts around the country that you have served as the TWU's negotiator on?

48 A Well, over in Brooklyn Local 101 which deals with the Brooklyn Union Gas Company here in New York City, we have Columbia University and Barnard College and Julliard School of Music and Jewish Theological.

Out on the Island Local 252, MSBA, Metropolitan Suburban Bus Authority, and there is also Suffolk Transportation and Fuco Bus, Suffolk County, and in New Jersey we have Orange and Black and Short Line. The old Intercity bus line, now called Maplewood.

Down New Jersey we have School Boards that we deal with in Lakewood and in Bricktown and several other towns in that area.

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In Omaha, Nebraska, we have Rapid Transit, and in San Francisco we have the Muni Railway, and in Texas we have the Rapid Transit Lines which has since become a quasi bus authority. In Miami we have the Miami Transit Authority.

There are some in Pennsylvania and places that -- well, we do have an International rep that handles most of the Pennsylvania and Ohio problems. He reports to me on what is proposed and the results of the negotiations.

Q Can you tell us the modus operandi, the manner in which you prepare for negotiations and the process of negotiations, your style of negotiations.

A Well, our locals are autonomous. Each one has elected officers that are elected by the members. They decide at the negotiating meeting which is advertised to the membership what the proposals will be, and then I meet with the negotiating committee and we go and meet with the management and submit the proposals to management who respond in whatever fashion they may, and we gradually work towards a solution to the problems, or at least we try to. In most cases we are successful.

Q When did you become the negotiator for the International Union with regard to Local 241's contract with Columbia covering Building & Grounds, Residence Halls and

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31 cmsr Hannaberry - direct [2572]

guard employees?

A I was in on their negotiations several years back, I don't recall just what time it was. Somewhere in Frank Sheehan's time.

Q Who is Frank Sheehan?

A He was director of organization of the Transport Workers Union. I think the first time that I went in by myself, that is as the representative of the International Union, was '68. 1968.

Q And you subsequently negotiated the 1970 --

A I participated, yes.

* * * * [2582]

Q Mr. Hannaberry, let me ask you this question: Prior to 1971, the period of this litigation and of the questions arising in this litigation, was there ever a demand or proposal made by the rank and file of the union for equal pay for janitors and maids?

42 cmsr Hannaberry - direct [2583]

MR. STITT: I object to the word, "equal". If we can stipulate that it is pay at the same rate, I have no problem.

THE COURT: All right, go ahead.

MR. DRYFOOS: I am referring to the act known as the Equal Pay Act.

THE COURT: You may answer.

A Not to my knowledge.

* * * *

CROSS-EXAMINATION [2620]

BY MR. STITT:

* * * *

[2621]

Q You testified with respect to the 1972 and 1974 negotiations of contracts that the agreements before execution would be submitted to the local union, the terms explained, and then a secret ballot taken?

A That's correct.

Q I ask you whether those procedures also held true for the prior agreements, 1974, 1968 and the earlier 1960 agreements to which you have just referred.

A To the best of my knowledge, that's the way it was done.

* * * *

[2622]

Q How long have you been negotiating contracts for the Transport Workers Union?

A Since about 1955.

Q Is it part of your responsibilities to inform yourself of Federal Statutes regarding unions and their duties and obligations?

A Any time we have legal problems we call our attorneys.

Q I am sure you do, but I am asking you about your own understanding and familiarity, Mr. Hannaberry.

A Well, that's the way we operate. If there is a legal matter we refer it to the Legal Department.

Q Is it your testimony that you have no familiarity with the Labor-Management Relations Act, or the Fair Labor Standards Act?

A I have some knowledge of it, yes.

Q When did you first have some knowledge of those

two laws?

A The Labor-Management Act quite a number of years. What was the other act you mentioned?

Q The Fair Labor Standards Act.

A I am not too familiar with that.

Q In any event, in all of your negotiations with Columbia you have had the benefit of counsel?

A When needed, yes.

Q And counsel is experienced in labor law and union contract negotiations?

A Yes.

Q Regardless of your understanding of any particular law are you aware of a duty by a union to represent all of its members equally without discrimination?

A Very definitely.

MR. DRYFOOS: I object, your Honor.

THE COURT: Overruled.

Q When did you become aware of that duty, Mr. Hannaberry?

* * * *

[2624]

A As long as I have been in the labor movement. That's the whole idea of a union.

Q Going back to the 1950's and --

A Going back to the forties and the thirties.

Q Was a Federal mediator present during the 1970 negotiations?

A 1970?

Q Would it refresh your recollection if I suggested Mr. George Byrnes of the Federal Mediation and Conciliation Service.

A Yes, I believe he has been on the last three negotiations we have had.

Q Including the 1972 and '74 negotiations?

A That's correct.

Q Addressing yourself to the 1970 negotiations, is it true that he attended approximately the last eight bargaining sessions ?

A I don't really know how many sessions he attended.

Q But a good number ?

A Yes.

Q More than just a half --

A No, he didn't just come in.

Q Was he instrumental in the parties coming together and agreeing?

MR. BERKE: Objection, your Honor. That is a conclusion. Was he instrumental. That's wholly a conclusion.

THE COURT: All right, sustained.

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Q - Did he play any role, or was he a factor in any way?

MR. BERKE: Objection, same grounds.

MR. DRYFOOS: Objection.

THE COURT: No, overruled.

Q [continuing] In the parties coming together in agreement.

A He was a big help.

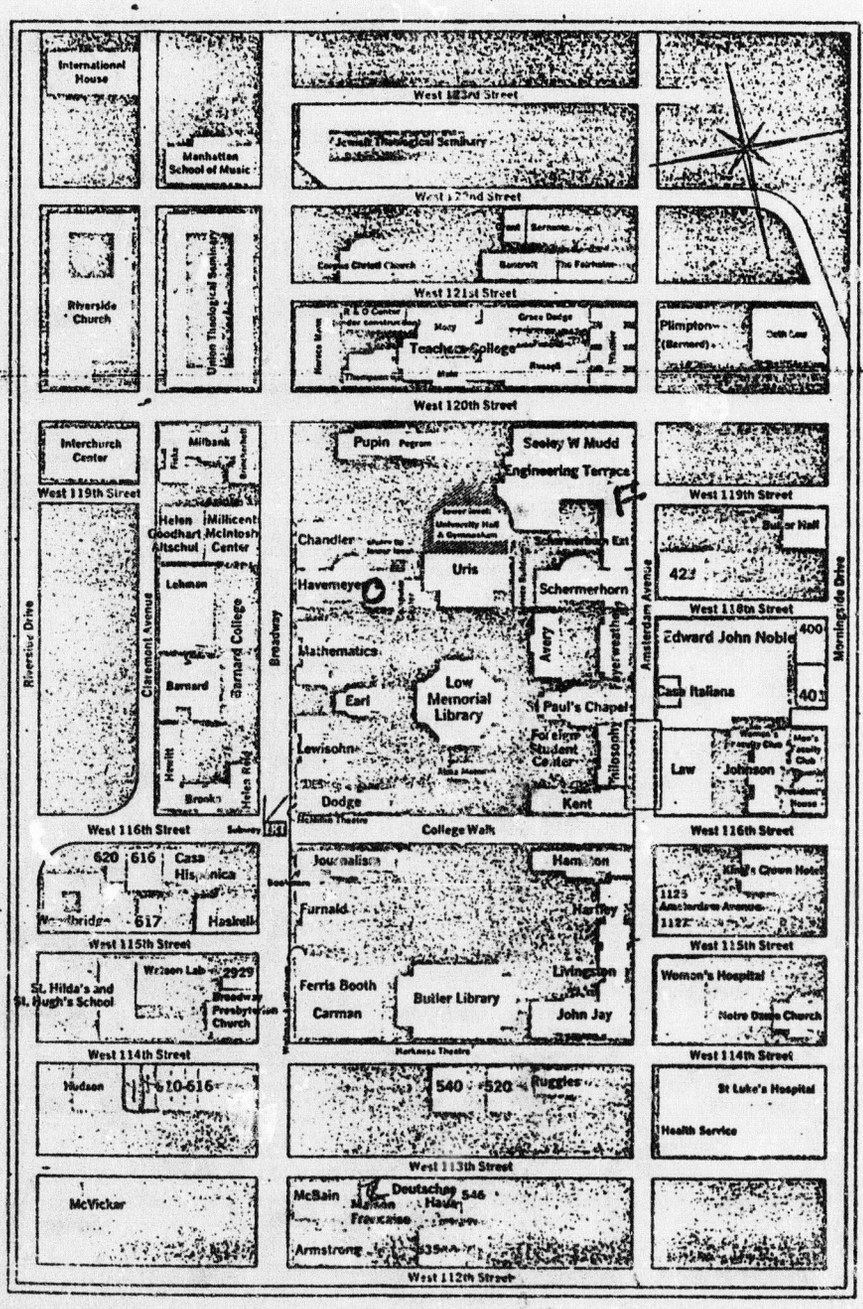
* * * *

PLAINTIFF'S EXHIBIT 101

6

COLUMBIA UNIVERSITY

The Morningside Campus & Environs



- 1542 -

SKY.

PLAINTIFF'S EXHIBIT 101 ID FOR IDENTIFICATION

PLAINTIFF'S EXHIBIT 104

#104

Exhibit A

COLUMBIA UNIVERSITY

Wage Schedule

BUILDINGS AND GROUNDS AND RESIDENCE HALLS MAINTENANCE EMPLOYEES

Classification	Hourly Rates 7/1/70	8/31/70	1/1/71	7/1/71
SERVICE				
Elevator Operator	$2.44	$2.59	$2.59	$2.89
Head Janitor	3.16	3.31	3.31	3.64
Janitor	2.81	2.96	2.96	3.26
Window Cleaner	3.67	3.76	3.85	4.24
Custodian	2.84	2.99	2.99	3.29
Maid	2.36	2.51	2.51	2.81
Attendant	2.36	2.51	2.51	2.81
Seamstress, Linen Maid	2.55	2.70	2.70	3.00
MECHANICAL				
Head Mechanic	4.44	4.55	4.66	5.13
Mechanic "A"	4.06	4.16	4.26	4.69
Mechanic "B"	3.67	3.76	3.85	4.24
Mechanic "C"	3.28	3.43	3.43	3.77
Utilityman	3.28	3.43	3.43	3.77
Helper	3.02	3.17	3.17	3.49
Head Laborer	3.55	3.64	3.73	4.10
Laborer	3.02	3.17	3.17	3.49
POWER PLANT				
Watch Engineer	5.78	5.92	6.07	6.68
Machinist "A"	4.06	4.16	4.26	4.69
Machinist "B"	3.67	3.76	3.85	4.24
Refrigeration Engineer	4.06	4.16	4.26	4.69
Refrigeration Engr., Ltd.	3.56	3.65	3.74	4.11
Power Operator	3.85	3.95	4.05	4.46
Power Plant Cleaner	3.22	3.37	3.37	3.71
MISCELLANEOUS				
Truck Driver "A"	3.39	3.47	3.56	3.92
Truck Driver "B"	3.28	3.43	3.43	3.77
Truck Driver Helper	3.02	3.17	3.17	3.49
Gardener	3.28	3.43	3.43	3.77
Groundsman "A"	3.02	3.17	3.17	3.49
Groundsman "B"	2.81	2.96	2.96	3.26

Janitors when operating heavy motor driven equipment for stripping floors or shampooing carpets shall receive additional pay of .25 per hour above their regular rate of pay.

As of 8/31/70, each employee working a night shift (when his regular starting time is 3:00 p.m. or later) shall receive a night shift premium of fifteen cents an hour in addition to the above base rates of pay.

Classifications and duties of employee positions shall be prepared and maintained.

1201565

PLAINTIFF'S EXHIBIT 129

Pltf's 129 Sec

Exhibit A

COLUMBIA UNIVERSITY

Wage Schedule

BUILDINGS AND GROUNDS AND

RESIDENCE

FALLS MAINTENANCE EMPLOYEES

Classification	Hourly Rates 7-1-72	7-1-73
SERVICE		
Elevator Operator	$3.08	$3.28
Head Cleaner	3.85	4.07
Heavy Cleaner	3.48	3.68
Window Cleaner	4.48	4.74
Custodian	3.48	3.68
Light Cleaner	3.00	3.20
Attendant	3.00	3.20
Seamstress, Linen Keeper	3.19	3.39
MECHANICAL		
Head Mechanic	5.42	5.73
Mechanic "A"	4.96	5.25
Mechanic "B"	4.48	4.74
Mechanic "C"	3.98	4.21
Utility Mechanic	3.98	4.21
Helper	3.69	3.90
Head Laborer	4.33	4.58
Laborer	3.69	3.90

Classification	Hourly Rates 7-1-72	7-1-73
POWER PLANT		
Watch Engineer	$7.06	$7.47
Machinist "A"	4.96	5.25
Machinist "B"	4.48	4.74
Refrigeration Engineer	4.96	5.25
Refrigeration Engr., Ltd.	4.34	4.59
Power Operator	4.71	4.98
Power Plant Cleaner	3.92	4.15
Oiler	4.61	4.88
MISCELLANEOUS		
Truck Driver "A"	4.14	4.38
Truck Driver "B"	3.93	4.21
Truck Driver Helper	3.69	3.90
Gardener	3.98	4.21
Grounds Keeper "A"	3.69	3.90
Grounds Keeper "B"	3.45	3.65

Heavy Cleaners when operating heavy motor driven equipment for stripping floors or shampooing carpets shall receive additional pay of .25 per hour above their regular rate of pay.

Each employee working a night shift (when his regular starting time is 3:00 P.M. or later) shall receive a night shift premium of fifteen cents an hour in addition to the above base rates of pay.

Helpers and Grounds Keepers assigned to work on the running track or the ski dome shall be paid the Utility Mechanic's rate.

Classifications and duties of employee positions shall be prepared and maintained.

PLAINTIFF'S EXHIBIT 131

August 1, 1963

COLUMBIA UNIVERSITY
RECEIVED
AUG 6 1963
DIRECTOR OF
BUILDINGS & GROUNDS

To: Mr. W.J. Whitesido

Subject: Job descriptions

There are definite established divisions of work and equipment between the Service Department maids and janitors. For your convenience I am furnishing you the following job descriptions. It should be noted that a janitor is required to perform all of the maids duties but the reverse is not permitted.

EQUIPMENT

Maids

20-24 oz. wet mops
16 quart mop pails
18"-24" treated dust mops
treated dust clothes
maids rubber gloves
dust pan and counter brush
18"-24" push brooms
maid's cart
toilet bowl swab
10 quart pail
sponge
venetian blind dusters
vaccuum cleaners
carpet sweepers

Janitors

20-32 oz. wet mops
16 - 40 quart mop pails
30 gallon mop tanks
18"-42" treated dust mops
treated dust cloths
janitor's work gloves
dust pan and counter brush
18"-36" push brooms
Janitor cart
Rubbish drum and dolly
hand truck
drum truck
platform truck
dollies
scaffold, portable
4'-16' step ladders
16' extension light changer
wall duster poles

EQUIPMENT (cont.)

Janitors

14"-22" floor machines
vacuum cleaners
wet & dry vacuums 10-15 gal.capacity
toilet bowl swab
10-14 quart pails
sponge
snow shovel
floor squeegee
putty knives
drum wrenches
water hose

DUTIES

Maids

dust all flat surfaces
dust verticle surfaces to five feet
wash and polish furniture
sweep floor and stairs with treated mops or brooms
damp mop floors and stairs
empty and wash ash trays and waste baskets
remove finger marks on walls and doors
clean and service ladies toilets, service sanitary napkin machine
vacuum and carpet sweep carpets and rugs
empty wall mounted cigarette urns
dust venetian blinds
clean glass ventilators
lock all office doors when rooms have been completed
report burned out lights, furniture repairs, & torn or missing shades.

Janitors

remove all rubbish either to dump or to city pick up areas
scrub and refinish floors

DUTIES (cont.)

Janitors.

damp mop floors and stairs

Buff floors

operate wet dry vacuums

wash black boards and clean erasors

clean and service all toilets

move furniture within a building

transfer supplies from central stores to their respective buildings

snow removal

high dusting

replace burned out lights

open and close buildings

open and close windows

open and close sliding partitions

set up 55 gallon drums of liquids on drum cradles.

PLAINTIFF'S EXHIBIT 132

Offered 10/25/74

132

GENERAL DUTIES OF MAIDS

1. Maids are responsible for cleaning all parts of the area assigned to them which is within standing reach. This includes walls, woodwork, glass cases, files, floors, radiators, fixtures, empty shelf space. They do not clean books.
Empty waste baskets. Adjust shades and windows for sun and ventilation. Do NOT tidy up papers, books or ther materials being used in an office.
Corridors and stairs are to be swept daily, and mopped at least every week--or oftener if needed. Gum is to be removed from floors on sight.
Rugs are to be cleaned daily with a carpet sweeper and weekly with a vacuum cleaner.

2. Maids who carry keys are required to carry them attached to a key cord fastened around their waists.

3. Report to Head Janitor or Supervisor all broken or splintery chairs, and all repairs needed to buildings and fixtures.

4. Report to Head Janitor all rooms not properly heated or ventilated.

5. In the toilets every day wash floors, stools, seats, basins, urinals. Use bowl cleaner on urinals weekly where Janitors are not doing this. Remove waste paper and litter. Supply soap, paper, sanitary napkins to the machines. Fill towel boxes before 9:00 AM and check again before leaving. No loose packages of towels are to be left in the toilets. Clean mirros weekly. Keep the walls clean.

6. Remove articles from outside the window sills, including pigeon nests.

7. Keep all lights turned off when there is enough daylight. Report burned out bulbs to the Janitor.

8. Keep room doors locked. Do not permit anyone to enter rooms unless you KNOW they belong there. In case of doubt, refer them to the Janitor or Elevator Operator, or Guards' Desk.

9. Every day before leaving wash mops and dust cloths, clean hair brooms, sinks and sink closets. Lock the sink closets.

8-24-66

DEFENDANT'S EXHIBIT A

SUPPLEMENTAL MEMORANDUM OF AGREEMENT BETWEEN COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK AND TRANSPORT WORKERS UNION OF AMERICA, AFL-CIO, LOCAL 241

1. This Supplemental Memorandum of Agreement, where applicable, supplements the agreements between the Transport Workers Union of America, AFL-CIO, and its Local 241, and Columbia University as they pertain to the Buildings and Grounds and Residence Halls Maintenance Employees and to the guard employee.

2. All layoff notices to maids, dated or delivered on or about August 18, 1972, are hereby withdrawn.

3. The classifications designated as "janitors" and "maids," appearing in Exhibit "A" to the collective bargaining agreement between Columbia and the Union, dated July 1, 1970, ("1970 Collective Bargaining Agreement"), shall hereinafter be designated respectively as Heavy Cleaner and Light Cleaner.

4. The job description of the classification Heavy Cleaner shall continue to be the same as heretofore for janitors. The job description of Light Cleaner shall continue to be the same as heretofore for maids.

5. In addition to the seven (7) Heavy Cleaner positions that were filled by Light Cleaners as of August 28, 1972, Columbia agrees to create six (6) additional positions in the Heavy Cleaner classification, as soon as possible, and agrees that employees presently working as maids - Light Cleaners shall be afforded the first opportunity to bid these new positions in accordance with their University seniority.

6. Employees who successfully bid into the Heavy Cleaner classification shall be afforded a thirty-(30) day training period during which they will be compensated at the higher Heavy Cleaner rate of pay. Such employees shall not be considered to be new employees for the purposes of paragraph 1 of the 1970 Collective Bargaining Agreement in the event that Columbia determines that they have not successfully completed the training program. In any event, the employee not successfully completing the training program shall revert to the status he or she formerly enjoyed with appropriate University and classification seniority.

7. Light Cleaners who successfully bid into the Heavy Cleaner classification shall be placed on the Heavy Cleaner

seniority roster in accordance with their University seniority and said University seniority shall prevail for all purposes.

8. Section 7B of the 1970 Collective Bargaining Agreement, to the contrary notwithstanding, if, in the future, Columbia should lay off any Light Cleaners, such Light Cleaners receiving notice of layoff, may exercise his or her University seniority to bump Heavy Cleaners. Any Light Cleaner wishing to bump another employee must exercise such right within five (5) days after he receives a notice of layoff. The following are considered to be departments: Service, Mechanical, Power Plant, Miscellaneous, and Guards.

9. Columbia and the Union will meet to discuss the grievance concerning the alleged increase in work load of Light Cleaners, as soon as possible. The parties shall have the right to refer any disagreement or unsolved issues resulting from the committee's meetings directly to arbitration in accordance with Step 4 of the grievance procedure provided for in the 1970 Collective Bargaining Agreement.

10. Columbia will open up Guard positions at 125th Street.

11. Employees who, in response to a posted notice of openings for a Guard position, indicate their interest in such openings by submitting an appropriate application, shall be placed on a list and Columbia shall use such list to fill all future openings for Guard positions before an applicant from outside the bargaining unit is hired for such position.

COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK

By: _____
Vice President

TRANSPORT WORKERS UNION OF AMERICA, AFL-CIO

By: _____
International Vice President

TRANSPORT WORKERS UNION OF AMERICA AFL-CIO, LOCAL UNION #241

By: _____

Dated: September 12, 1972.

DEFENDANT'S EXHIBIT BB

BB

COLUMBIA UNIVERSITY

INTERDEPARTMENT MEMORANDUM

Columbia, Buildings And Grounds

Date 9 October 1972

To Mr. J. P. Nye

Subject Posted Notices - Heavy Cleaners

On 14 August 1972 a posting for six heavy cleaners resulted in the following applications.

B. Thomas	R. Boler
*K. Spaulding	H. Gilliam
*R. Marshall	C. Nesbitt
A. Francisco	N. Diaz
S. Moss	S. Hawes

* (Not in the lay off group)

All of the above applicants were interviewed and R. Marshall and S. Hawes asked that their names be withdrawn from the list. K. Spaulding was turned down because of a poor attendance record. The remainder of the group started training as heavy cleaners on Tuesday 29 August 1972. On Friday 15 September 1972 A. Francisco asked to be returned to light cleaner status. This was done on Saturday 16 September 1972. On Friday 22 September 1972 C. Nesbitt and on Thursday 28 September 1972 N. Diaz also requested that they be returned to light cleaners. It was done on 31 September 1972. The balance of the ladies R. Boler, H. Gilliam, S. Moss and B. Thomas have since completed their training and are now on regular assignments as heavy cleaners.

Tuesday 19 September 1972 a second posting for heavy cleaners was posted. There were no applicants.

Respectfully,

John C. Gardner
Director

cs

RECEIVED
COLUMBIA UNIVERSITY
OCT 16 1972
VICE PRESIDENT FOR BUSINESS

Wrap up 11 pm ck

DEFENDANT'S EXHIBIT H

A 4

MAIDS AS OF 1/31/72

NAME	BIRTHDATE	SEN. DATE
FORBES JOYCE MAE	07/18/20	08 11/70
LOWERY MARY	09/03/13	06/09/70
THOMAS BETTY	05/05/33	04/14/70
GILLIAM HELEN	03/01/22	03/03/70
DOMINGO ARMIDA	12/24/34	01/27/70
DIAZ NELLIE	05/05/30	01/13/70
ULYSSE LUCIE	06/11/21	10/22/69
MOSS SARAH	06/24/25	10/15/69
WILLIAMS THELMA	06/26/19	09/25/69
FRANCISCO AMERICA	11/22/10	09/23/69
SKIPPER ETHEL	09/19/27	09/02/69
HAWES SHIRLEY DEAN	08/20/37	07 07/69
HAMMONDS CARRIE LOU	06/14/22	05/27/69
WASHINGTON WILLIE M	05/22/20	05/21/69
GRANT GERTRUDE G	07/01/25	05/20/69
SIMMONS NIHLET	02/27/22	05 20/69
STAMP MARIA LOUISE	04/02/33	05/20/69
WALKER CORA P	10/17/19	05/20/69
ESPINOSA MELIDA	06/10/20	04/15/69
NESBITT CATHERINE	07/04/25	04/15/69
KIRBY CARRIE	08/20/30	04/01/69
BROWN MARGARET P	09/05/19	02/18/69
JONES JESSIE	05/04/24	02/10/69
ROBINSON INEZ MAY	01/11/20	02/04/69
FRIES FRANCES	09/19/22	01/28/69
CRUZ CHRISTINA	07/24/16	01/08/69
MCGILL LAURA	02/16/24	12/19/68
BOLER RACHEL E	02/06/23	12/17/68
WHITE JENNIE MAE	05/08/28	11/18/68
SMITH SADIE	10/16/36	10/14/68
DUCHEMIN PAULE F	04/08 32	10/08 68
WOODS BETTY F	04/15/27	08 20/68
DICKENS PEARLIE MAE	02/22/17	08 19/68
MCCULLERS LAURA NELL	07/24/21	08/13/68
HINDS EILEEN V	02/04/41	07/23/68
SOPHINOS HELEN MAE	11/27/26	07 22/68
BELL MAGGIE	12/22/16	05/14/68
BENNETT HENRIETTA	09/24/25	04 23/68
BROWN ARMETTA	06/18/30	04/01/68
WILLIAMS ROSA MAE	05/08/20	03/19/68
WALKER WILLIE DELL	07/29/35	02/29/68
BROWN CARRIE LEE	08/18/19	02/27/68
JENKINS MAGGIE LEE	04/15/21	12/12/67
RODRIGUEZ EVA DAVIS	11/25 37	11 20/67
JOHNSON LUETTA	04/26/28	10/10/67
PETERSON EARLINE	09/27/24	09/27/67
KIRKLAND GLORIA M	02/22/26	09 19/67
LUBIN JULIE	09/06/09	09 12/67
MC NALLY CISSILY	07/20/22	08/29/67
BATIE DOROTHY	02/20/23	07/24/67

DEFENDANT'S EXHIBIT H

HOLLANDE-CAMILLE	01/30/22	07/24/67
WATSON ISABELLE	02/22/18	07/24/67
CARTER MAMIE	10/03/10	06/20/67
ROLLE GEORGIMAE	03/02/32	05/23/67
RAWLS VIOLET E	11/17/20	03 14/67
LEBRON ADELINA	08/15/29	02/27/67
COLLEY LAURA M	01/02/20	12/05/66
CALLOWAY IDA	01/12/14	10/24/66
ROBINSON BETTYE L	06/09/31	10/11/66
STEWART ETHEL	12/12/30	09/13/66
BRISBANE MARIE	09 25/25	08 16/66
DAISE EARLINE	11/01/33	08 16/66
MARSHALL RUTH MAE	01/25/10	08 16/66
SMITH MARIE	08 29/19	08 16/66
SOLIZ-G CONSUELO G	07/18/39	08 16/66
CORRY WILMA L	09/12/18	07 19/66
NEALY MARIAN L	02/24/36	07 19/66
TAYLOR HELEN V	04/11/11	07/19/66
CAWLEY NORMA E.	01/20/30	07 11/66
ANDERSON MILDRED	07/12/30	07/06/66
BRICE SARA	02/05/20	07 06/66
CLARK JULIA	12/25/31	06/07/66
YANCEY JOYELETTE M	05/29/24	06/07/66
SAXON DORA	08/08/08	05/25/66
SAWYER OVILLA	09/16/20	04/26/66
LEE MAYME C	09/14/20	04 05/66
MAGHEE FANNIE	03/08/17	01/18/66
ELLIS EARLENE	01/14/26	12/14/65
SMITH LOUISE RIGHTEO	12/17/26	12/14/65
BRAXTON MARY W	10/14/12	09/27/65
MC GRAW ANN	12/14/28	09/22/65
MONGE MERCEDES	12/30/29	09/05/65
SPAULDING KATHERINE	09/16/19	07 20/65
JONES ANNA M	10/18/16	07 07/65
COLLIER ESTHER	03/25/28	05/26/65
BENSON ALBERTA	09/15 22	05 25/65
PITTMAN WILLIE L	08/04/18	05/23/65
GHORAM BESSIE LOUISE	08/01/25	04/13/65
BRYANT VIOLA	01/25/15	03/23/65
TOOKES ELOISE	01/12/20	02/24/65
BURRELL KATY	06/18/10	01/26/65
PHILLIPS REBECCA	09/21/30	01/26/65
STOWERS ZEAPHERE	11/07/09	01/19/65
PRINCE BEULAH F	07/19/16	01/05/65
ROURKE ANNA	11/12/12	10/06/64
WEBB BEULAH	05/16/24	07 15/64
SKEPPLE BEATRICE R	05/22/22	07/07/64
WOODSON MARGARET R	12/07/23	05/25/64
BROOKS CLARA B	06/28 18	03 31/64
GAMBRELL ALMA A	02/23/14	03/05/64
JOHNSON SUSIE A	09/11/11	03/04/64
JONES LUCILE	03/01/15	01/21/64
BACON LEOLA	02/10/27	10/21/63
EDWARDS ALICE	06/25/12	09/09/63
DOYLE ANNE	10/17/12	08 26/63

DEFENDANT'S EXHIBIT H

ANDERSON MARY L	11/22/31	08 14/63
HENDERSON LORENA	10/15/25	08/13/63
HAYNESWORTH LOUISE	11/08/12	11/01/62
HART CHRISTOPHINA A	03/01/21	09 22/62
FLUDD MABLE	12/27/19	08 06/62
MYERS JUSTINE	11/12/14	08 06 62
SARGENT EPSIE	02/14/17	07 17/62
JACKSON LOLA	11/07/13	07/10/62
AVERY MABLE	10/14/16	04/09/62
WINKLER LENA	12/27/11	04/01/62
HAMILL MARY	05/16/20	09/13/61
GARMON RUTH LEEPER	04/23/24	05 09/61
JOHNSON RUBY MAE	11/07/21	03/21/61
TAYLOR LULA P	09/30/16	03/06/61
ARACUENTE WILDA E	03/06/22	09/22/60
MAYO BARBARA	02/15/15	02/10/60
GUTHRIE HELEN M	05/05/22	12/08 59
ROBERTS ROSA LEE	07/13/18	09/29/59
JOHNSON ESTER H	07/04/17	09/22/59
SOLTERO DOLORES	01/05/12	04/29/59
DOGAN MAYDIE	07/09/07	04/24/59
DE SHIELDS KATHERINE	06/18 16	11/24/58
WILLIAMS THELMA L	08/26/17	09 04/58
BOWENS RACHEL A	07/28/08	07/03/58
CROSSLAND HELEN E	04/24/22	06/06/57
PERNELL GRACE V	12/11/18	04/24/57
MC ARDLE ROSEANNE	01/23/10	03/28/57
REID BEATRICE H	04/06/14	03/19/57
BOHNENBERGER FRIEDA	03/01/07	02/25/57
HALL HAZEL	06/02/15	01/18/57
SHEA MARGARET	12/22/13	03/05/56
ISABELL JUNE E	05/25/17	01/16/56
WATKINS MARGARET	10/07/12	09/15/55
LEONARD MARGARET E	03/16/16	07/18/55
SEIBERT BELLE J	02/23/15	03/22/55
BREVARD WILLIE	03/22/14	03/03/55
RAMA MARGARET E	05/03/25	02/15/55
OSBORNE EMELIA	02/28 09	01/04/55
WILLIAMS VIOLA	09/07/07	07/14/53
CANDELARIA CANDITA	05/05/08	04/04/53
THOMAS NELLIE	06/11/18	02/11/53
KILIAN MARY A	10/16/08	11/08/51
FINNEGAN CATHERINE	10/10/09	12/15/49
HENEHAN DELIA	10/23/07	12/12/49
MCKENNA BEATRICE	01/25/07	12/02/48
TULLY MARGARET	09/10/09	06/02/48
LANNIN THERESA	02/04/16	04/12/48
CASEY MARY	08/22/13	04/29/46
COYLE MARY	11/15/10	09/24/43
SWEETMAN MARY	01/21/08	05/05/43
CUMMINGS BRIDGET	09/10/09	09/16/41
SCHEERLE MARY	07/20/09	08/01/41

LIGHT CLEANERS
HEAVY CLEANERS

DEFENDANT'S EXHIBIT K

w/e	NAME	# of hrs. reg.
8/2/70	Bettye Robinson	40
8/9/70	Bettye Robinson	40
8/16/70	Bettye Robinson	40
9/20/70	Nellie Thomas	18
2/28/71	Lena Winkler	12
2/28/71	Victoria Tkach	10
3/7/71	Lena Winkler	6
3/7/71	Sara Iglesias	18
3/14/71	Lena Winkler	12
3/14/71	Sara Iglesias	18
3/21/71	Sara Iglesias	12
3/28/71	Sara Iglesias	18
4/4/71	Sara Iglesias	12
4/11/71	Sara Iglesias	3
4/18/71	Margaret Shea	24
4/25/71	Margaret Shea	16
4/25/71	Sara Iglesias	16
5/2/71	Sara Iglesias	12
5/9/71	Sara Iglesias	12
7/18/71	Victoria Tkach	18
7/18/71	Mable Fludd	40
7/25/71	Victoria Tkach	18
7/25/71	Mable Fludd	40
8/1/71	Mable Fludd	40
8/8/71	Mable Fludd	40
8/15/71	Mable Fludd	40
9/12/71	Roscanne McArdle	6
9/20/71	Victoria Tkach	12
10/3/71	Victoria Tkach	36
10/3/71	Mable Fludd	15
10/10/71	Victoria Tkach	12
10/10/71	Mable Fludd	15
10/17/71	Victoria Tkach	12
10/17/71	Mable Fludd	6
10/24/71	Victoria Tkach	18
10/24/71	Mable Fludd	15
11/7/71	Victoria Tkach	18
11/7/71	Mable Fludd	30
11/14/71	Victoria Tkach	24
11/14/71	Mable Fludd	15
11/21/71	Victoria Tkach	15
11/21/71	Mable Fludd	15
11/28/71	Mable Fludd	15
12/5/71	Victoria Tkach	10
12/5/71	Mable Fludd	15
12/12/71	Victoria Tkach	15
12/12/71	Mable Fludd	15
12/19/71	Victoria Tkach	10
12/19/71	Mable Fludd	15
12/26/71	Victoria Tkach	10
12/26/71	Mable Fludd	15

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DEFENDANT'S EXHIBIT
U. S. DIST. COURT
S. D. OF N. Y.

K ID

DEFENDANT'S EXHIBIT K

LIGHT CLEANER'S PAID AS
HEAVY CLEANERS

w/e	NAME	# of hrs. reg.
1/2/72	Victoria Tkach	12
1/2/72	Mable Fludd	15
1/9/72	Mable Fludd	15
1/16/72	Victoria Tkach	18
1/16/72	Mable Fludd	15
1/23/72	Mable Fludd	15
1/30/72	Mable Fludd	15
2/6/72	Victoria Tkach	6
2/6/72	Mable Fludd	15
2/13/72	Mable Fludd	15
2/20/72	Mable Fludd	15
2/27/72	Mable Fludd	15
3/5/72	Mable Fludd	15
3/12/72	Mable Fludd	15
3/19/72	Victoria Tkach	10
3/19/72	Mable Fludd	15
3/26/72	Victoria Tkach	15
3/26/72	Mable Fludd	30
4/2/72	Mable Fludd	15
4/9/72	Mable Fludd	15
4/23/72	Mable Fludd	15
4/30/72	Victoria Tkach	8
4/30/72	Margaret Shea	12
4/30/72	Mable Fludd	15
5/7/72	Victoria Tkach	6
5/7/72	Mable Fludd	15
5/14/72	Margaret Shea	8
5/14/72	Mable Fludd	15
5/21/72	Victoria Tkach	15
5/21/72	Mable Fludd	15
5/28/72	Mable Fludd	15
6/4/72	Mable Fludd	15
6/11/72	Mable Fludd	15
6/18/72	Mable Fludd	15
6/25/72	Mable Fludd	15

LIGHT [illegible]
HEAVY C[illegible]

DEFENDANT'S EXHIBIT K

w/e	NAME	# of hrs. reg.	# of hrs. O.T.
7/2/72	Mable Fludd	15	
7/9/72	Victoria Tkach	21	
7/9/72	Ann Doyle	24	12
7/9/72	Roseanne McArdle	21	
7/9/72	Mable Fludd	15	
7/16/72	Mable Fludd	15	
7/23/72	Mable Fludd	30	
7/23/72	Mary Hamill	10	
7/30/72	Nellie Thomas	8	
7/30/72	Roseanne McArdle	18	
7/30/72	Ann Doyle	15	
7/30/72	Mable Fludd	18	
8/6/72	Victoria Tkach	6	
8/6/72	Roseanne McArdle	6	
8/27/72	Willie Walker		7
8/27/72	Justine Myers		7
8/27/72	Ann Doyle		7
9/3/72	Willie Walker	9	
9/3/72	Victoria Tkach	18	
9/3/72	Nellie Thomas	6	7½
9/3/72	Justine Myers	9	7
9/3/72	Roseanne McArdle	9	7
9/3/72	Ann Doyle	9	
9/3/72	Mary Hamill	30	7
9/3/72	Mable Fludd	18	
9/10/72	Willie Walker	6	
9/10/72	Mable Fludd	18	
9/17/72	Willie Walker	6	
9/17/72	Victoria Tkach	18	
9/17/72	Mable Fludd		
7/8/73	Roseanne McArdle	12	
7/8/73	Ann Doyle	30	
7/15/73	Ann Doyle	30	
7/22/73	Ann Doyle	36	
7/29/73	Ann Doyle	30	
8/5/73	Willie Walker	18	8
8/5/73	Justine Myers	19	8
8/5/73	Ann Doyle	10	
8/5/73	Mable Fludd	20	8
8/12/73	Willie Walker	18	
8/12/73	Justine Myers	18	
8/12/73	Mable Fludd	18	
9/16/73	Margaret Shea	8	

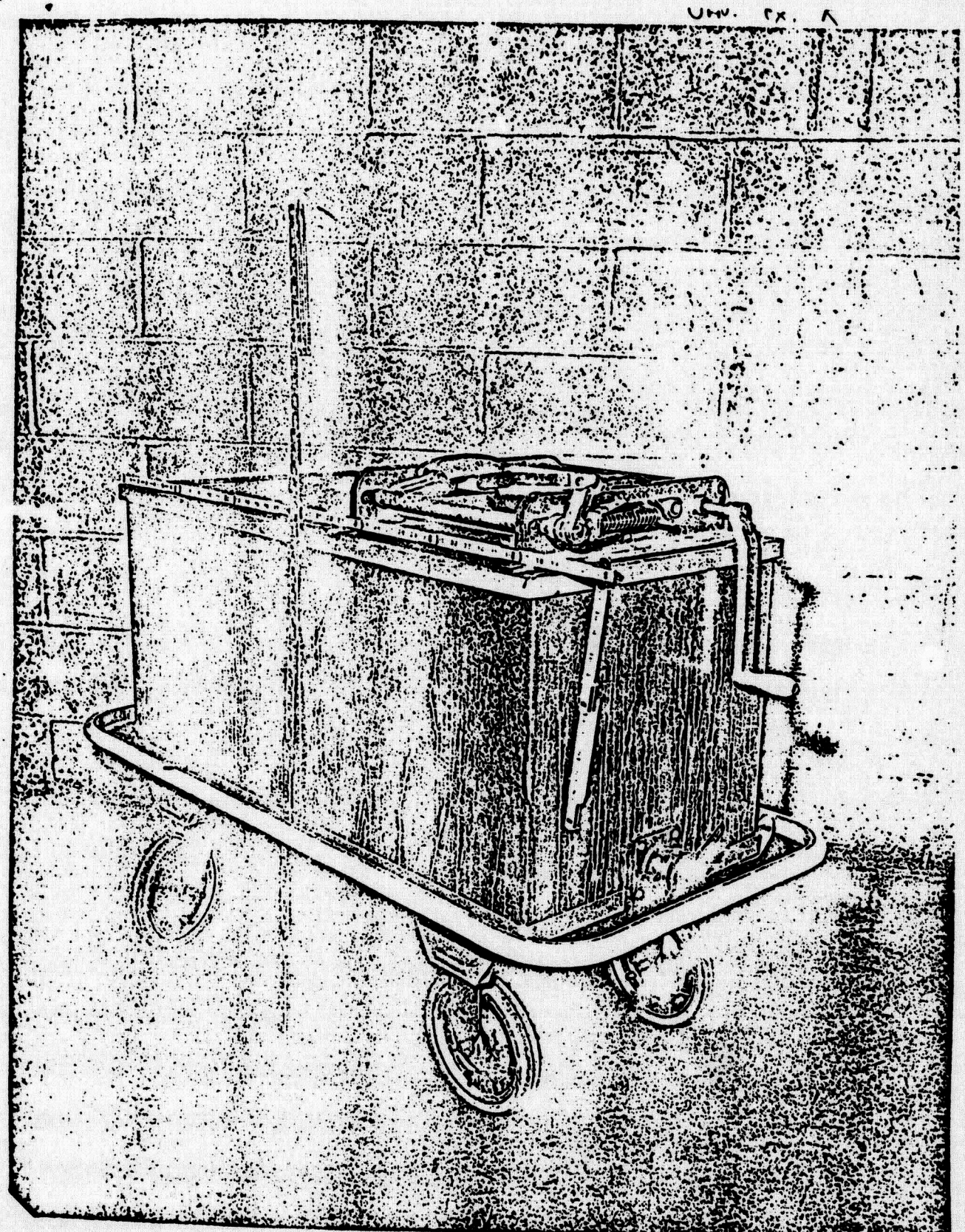
DEFENDANT'S EXHIBIT K

LIGHT CLEANERS PAID AS
HEAVY CLEANERS

w/e	NAME	# of hrs. reg.	# of hrs. O.T.
7/7/74	Mable Fludd	30	
7/14/74	Mable Fludd	30	
7/21/74	Mable Fludd	30	
7/28/74	Ann Doyle	30	
8/4/74	Ann Doyle		

DEFENDANT'S EXHIBIT R

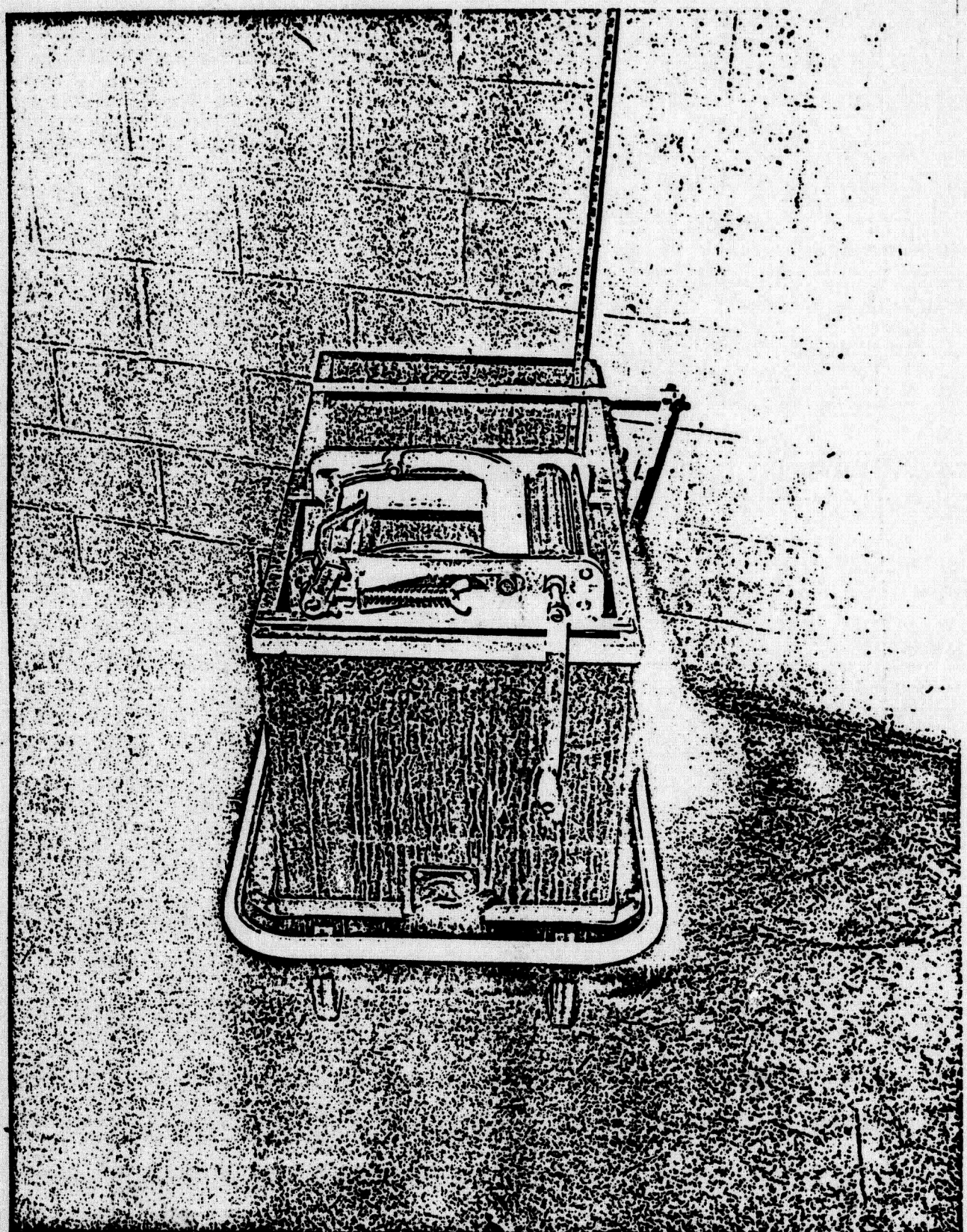
UNIV. EX. A



MILLER CO. INC.
[illegible] FULTON STREET
[illegible] N Y 10038

Photographs Made at Columbia College 22-7
October 23rd, 1974

DEFENDANT'S EXHIBIT R



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106 FULTON STREET
NEW YORK, N. Y. 10038

Photographs Made at Columbia College 22-7
October 23rd, 1974

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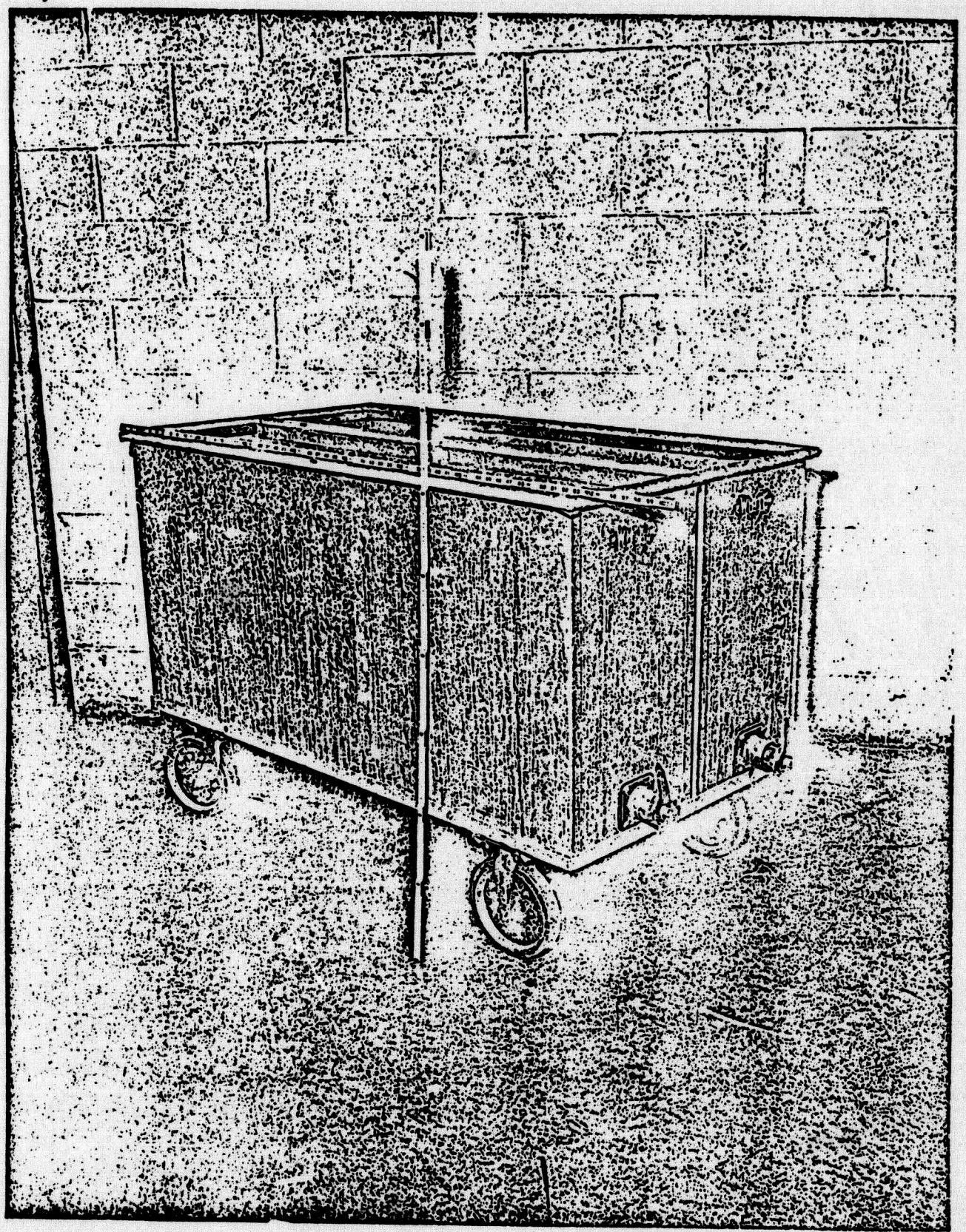

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NEW YORK, N. Y. 10038
photography by THEODORE SEPP

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October 23rd, 1974

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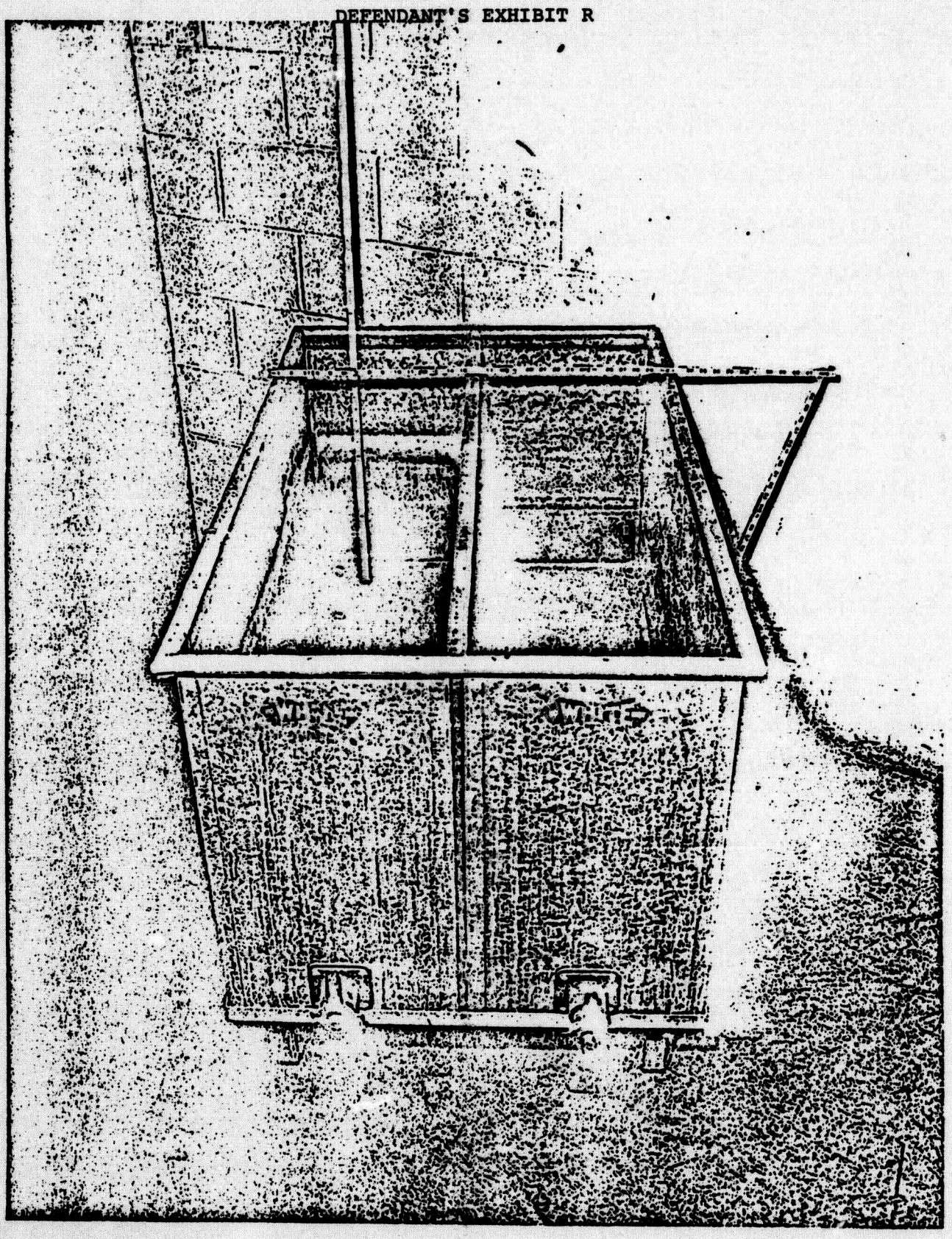

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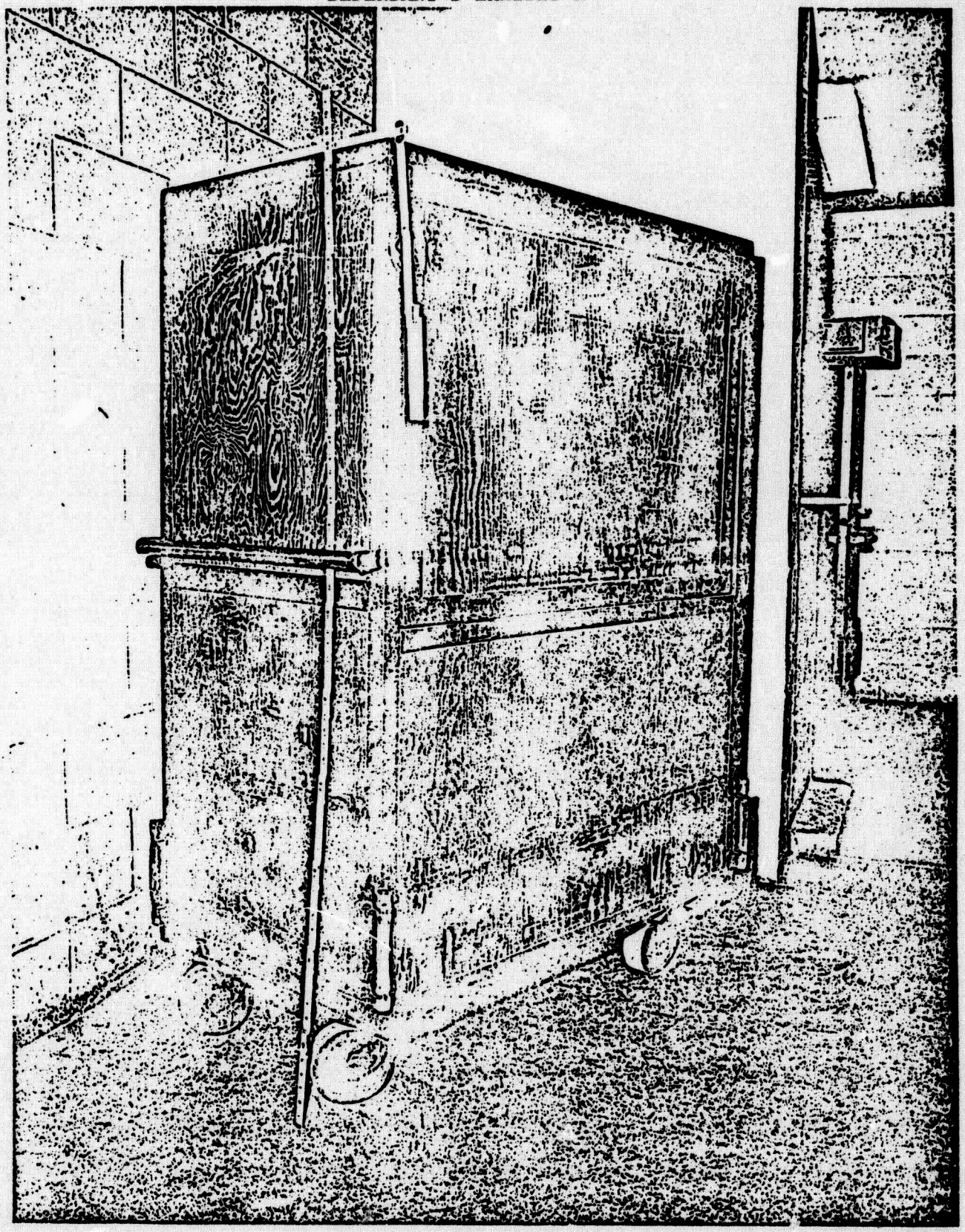

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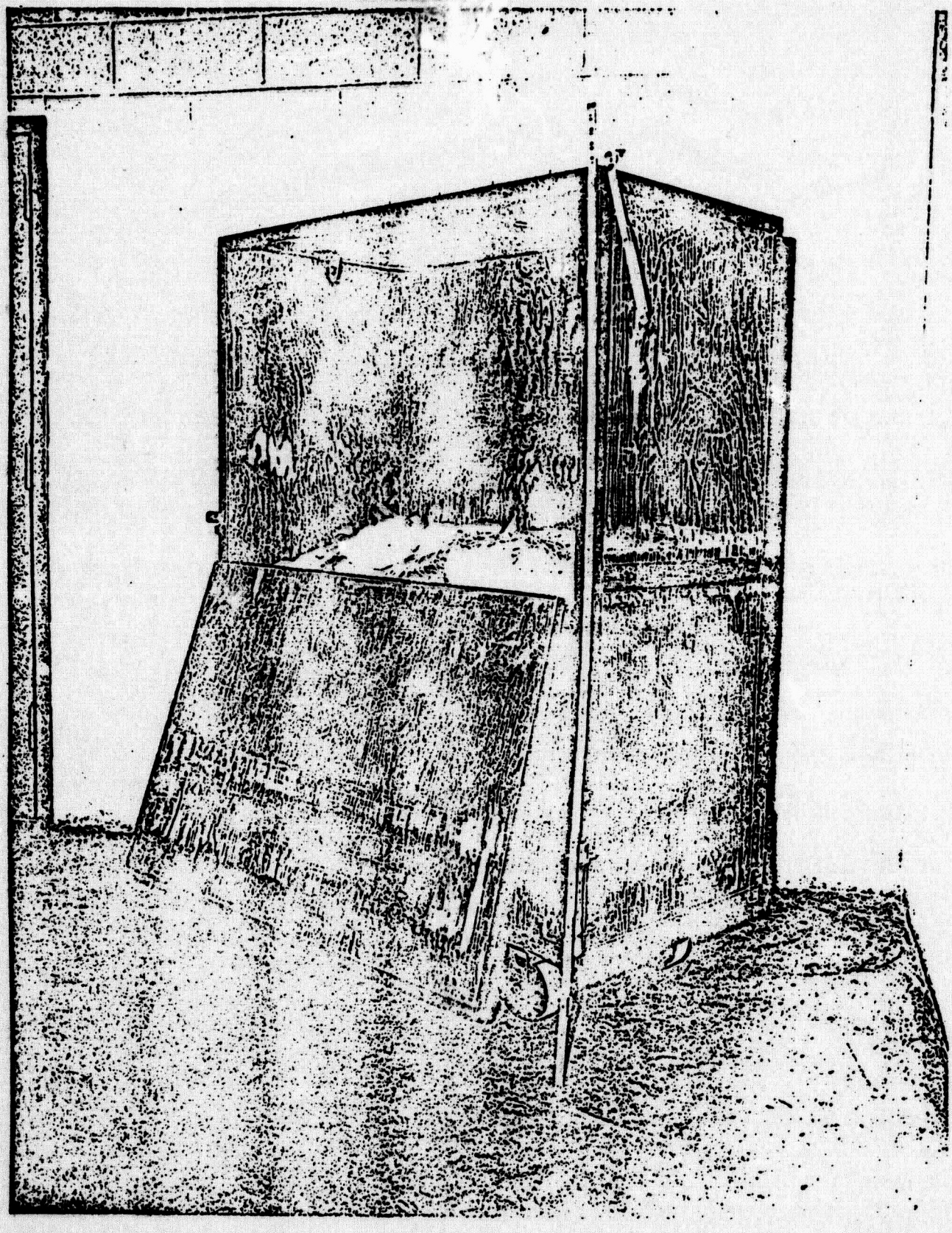

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photography by THEODORE SEPP

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October 23rd, 1974

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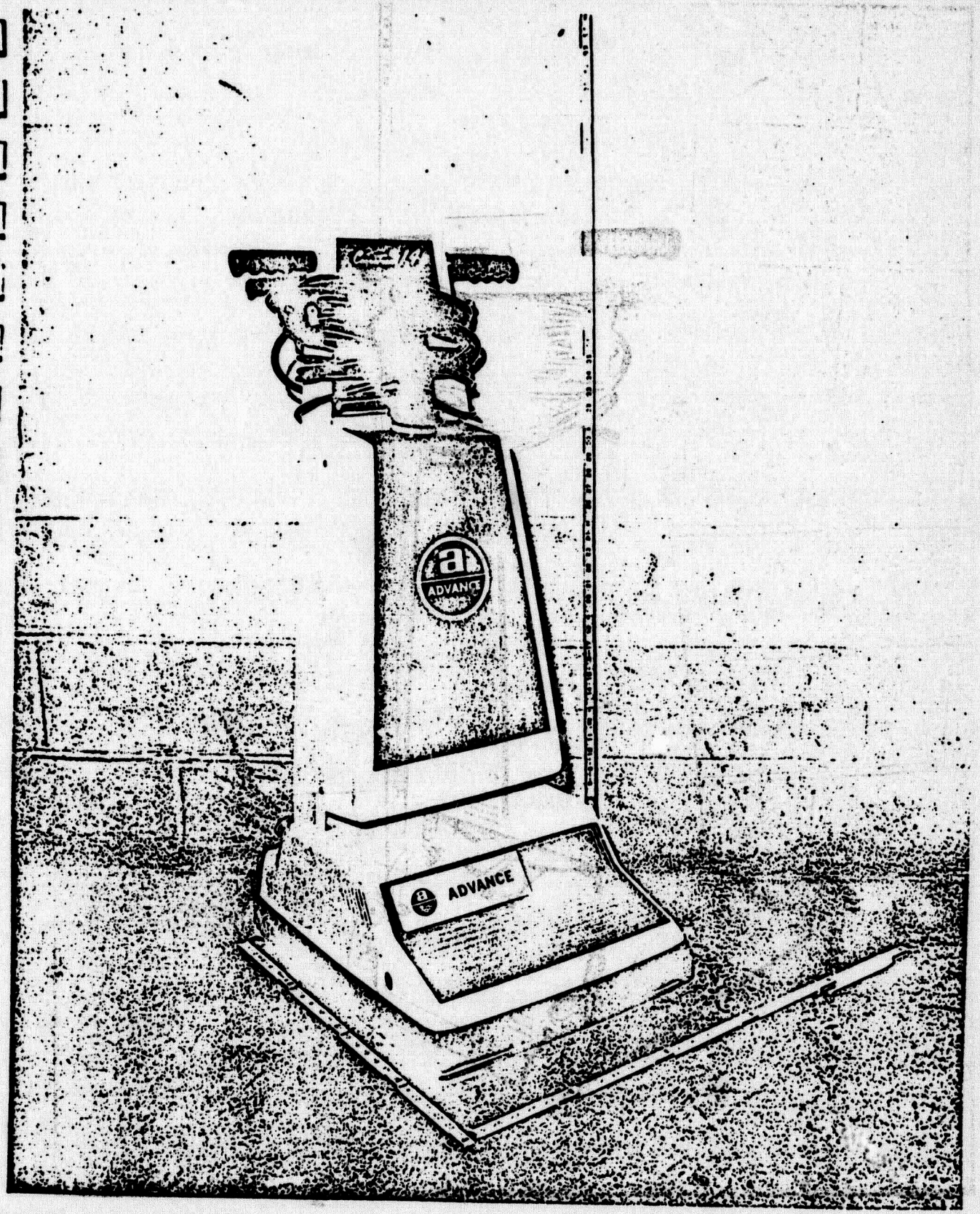

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October 23rd, 1974

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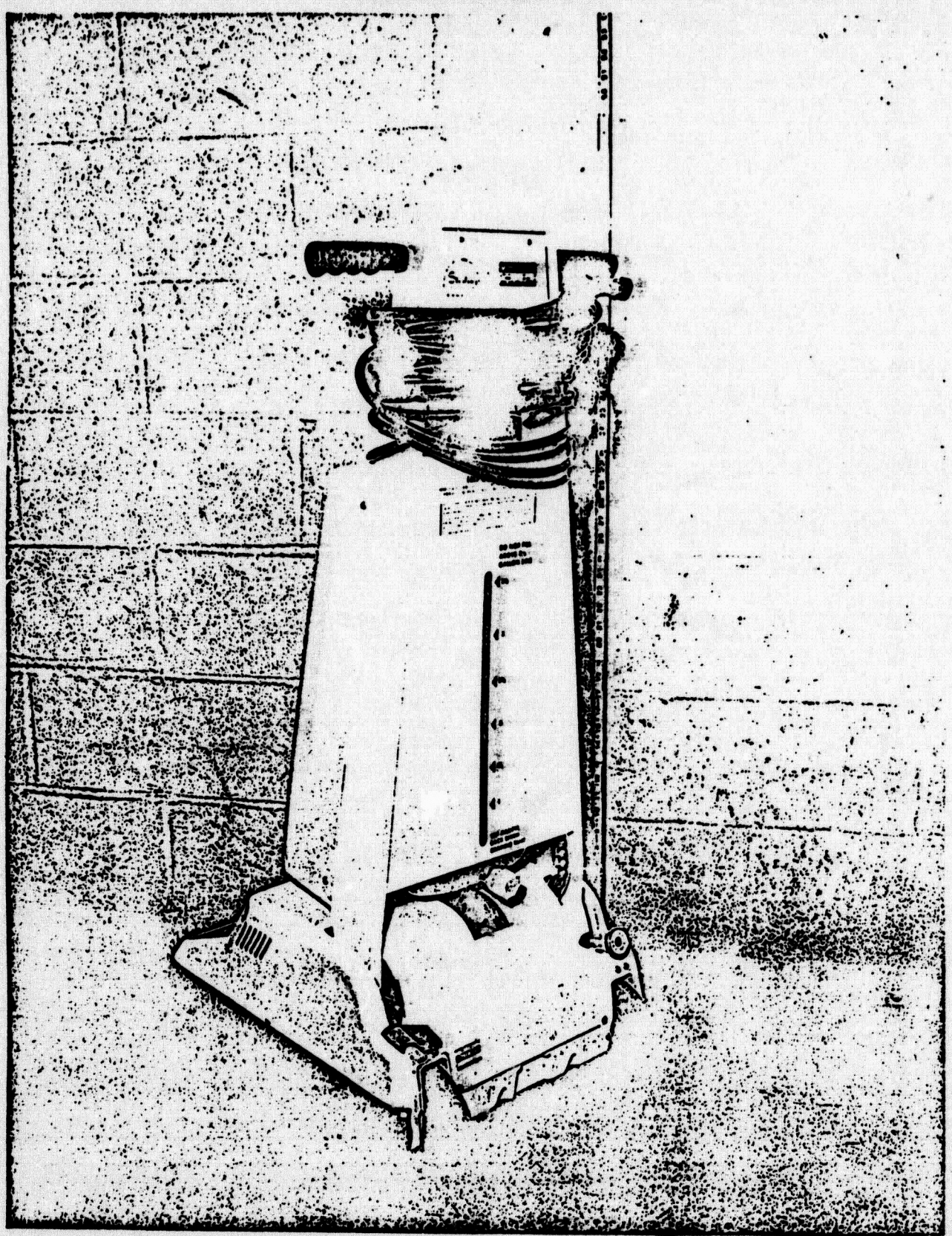

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October 23rd, 1974

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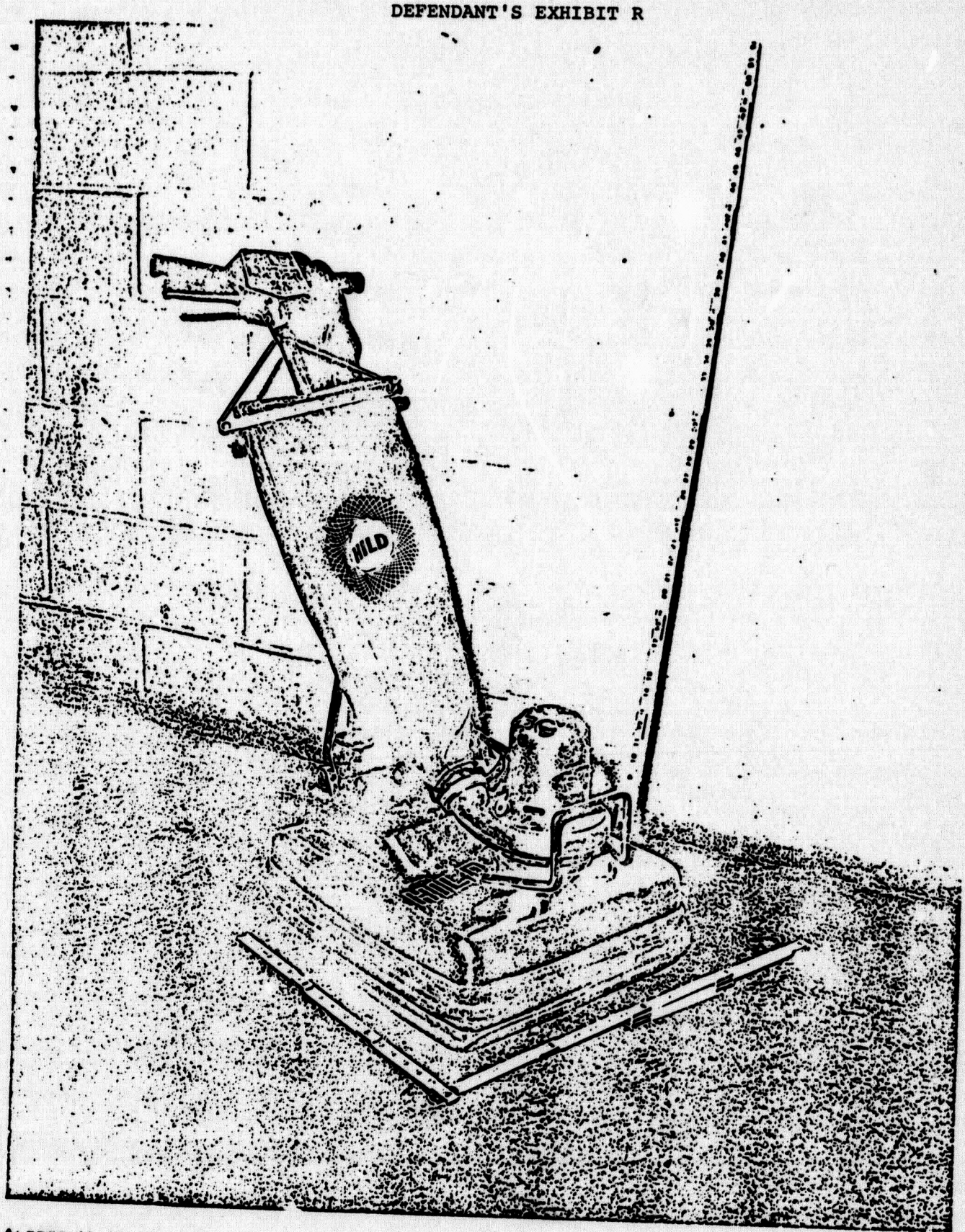

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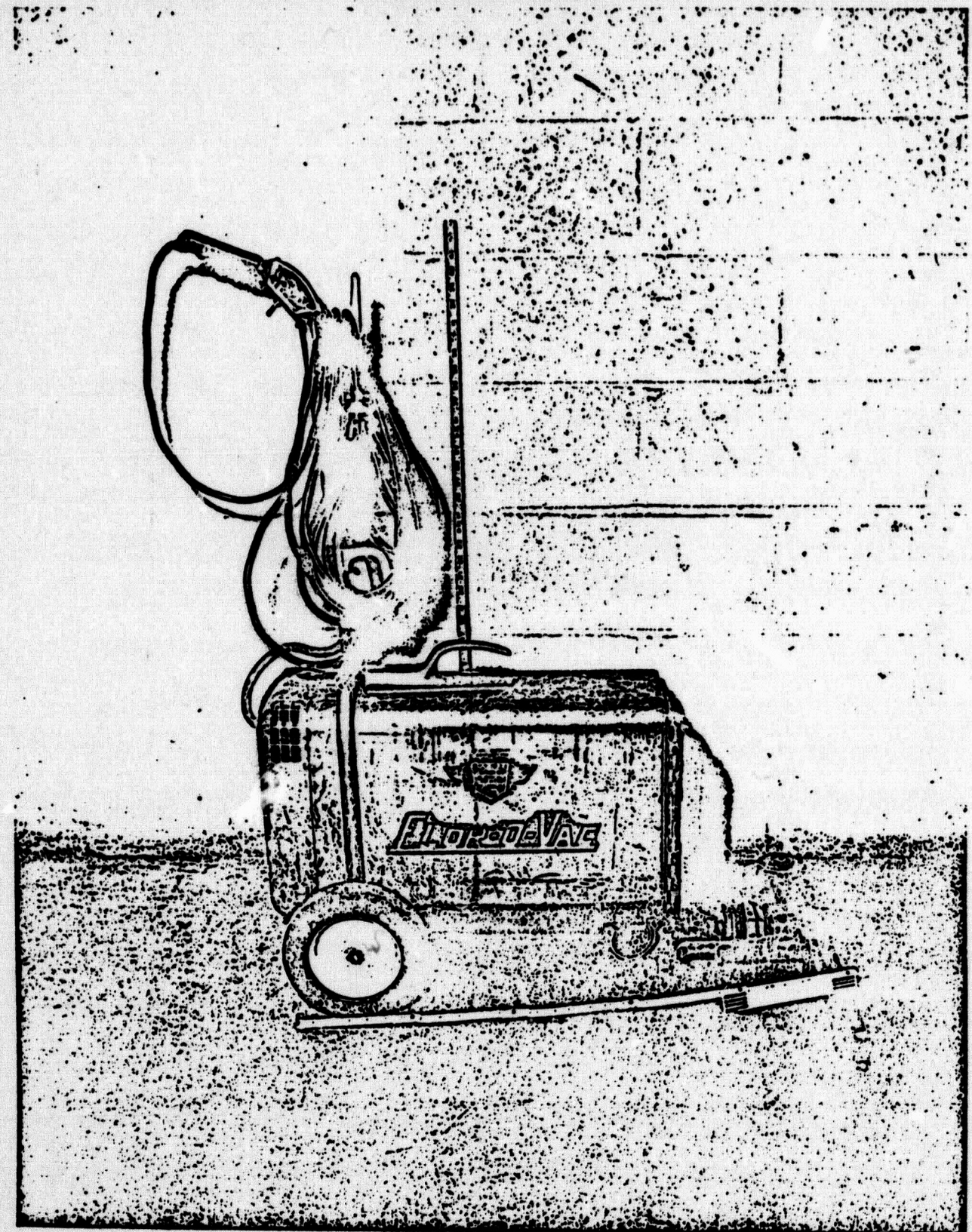

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photography by THEODORE SEPP

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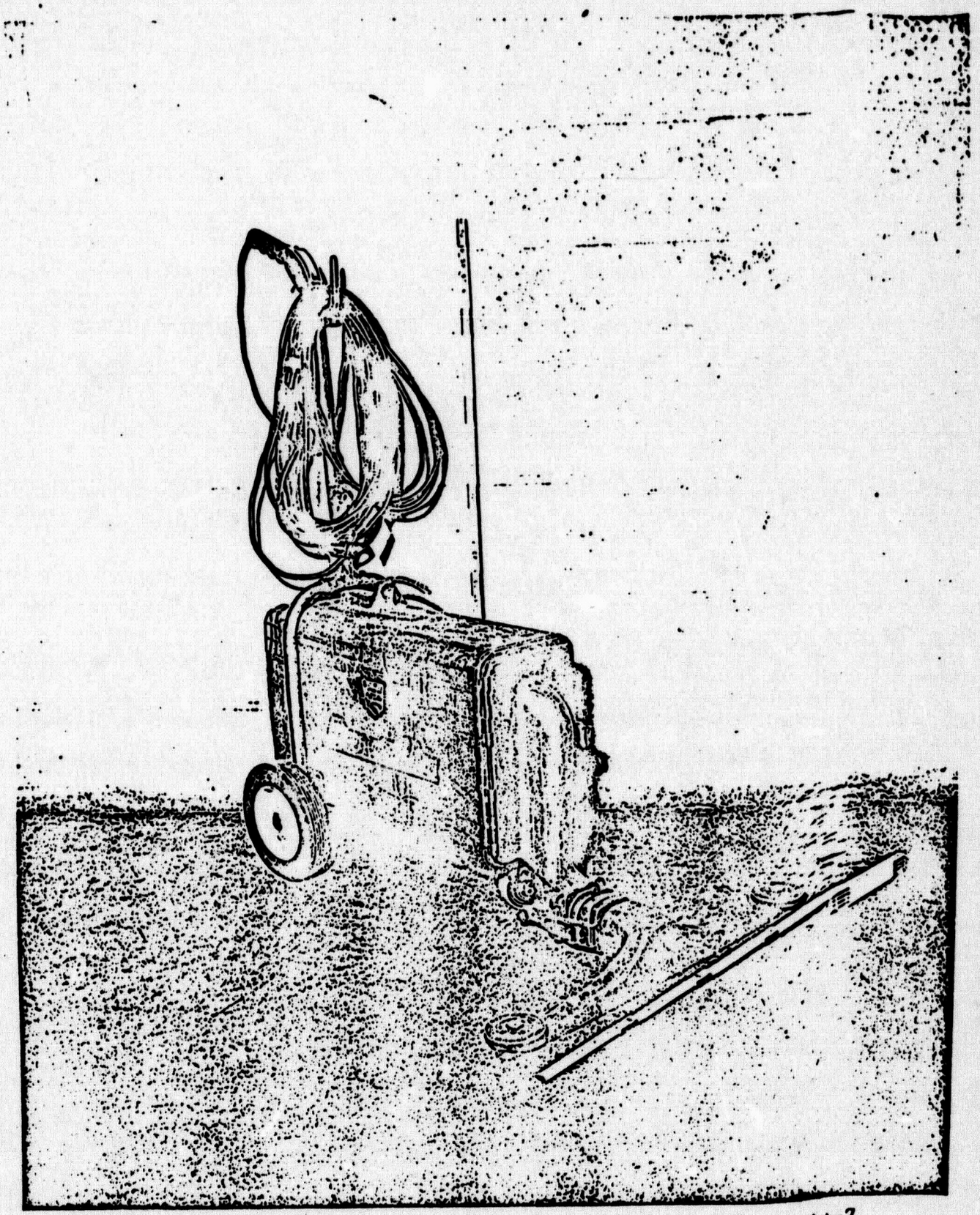

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October 23rd, 1974

J-7

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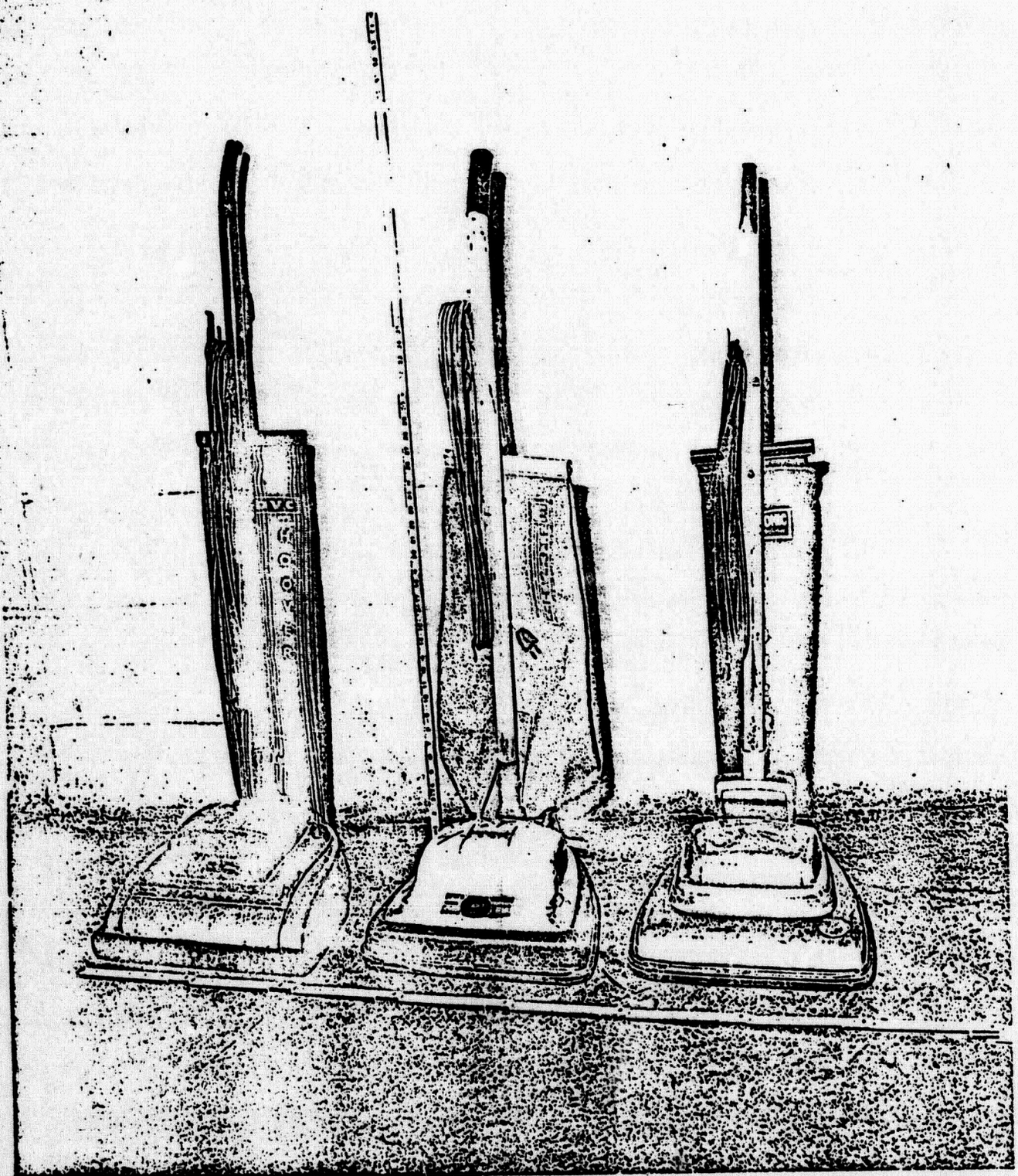

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Photographs Made at Columbia College
October 23rd, 1974

22-7

R

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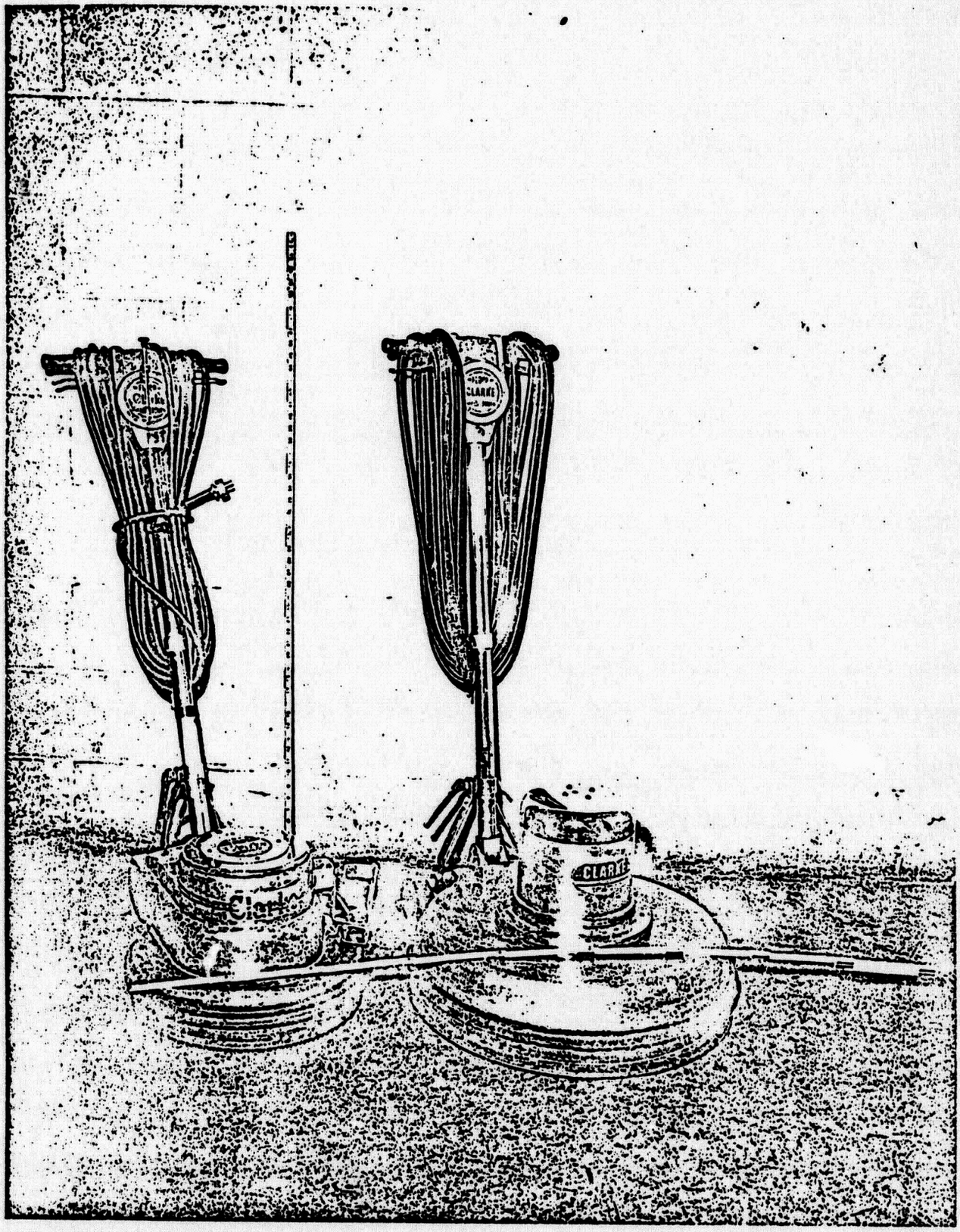

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photography by THEODORE SCOP

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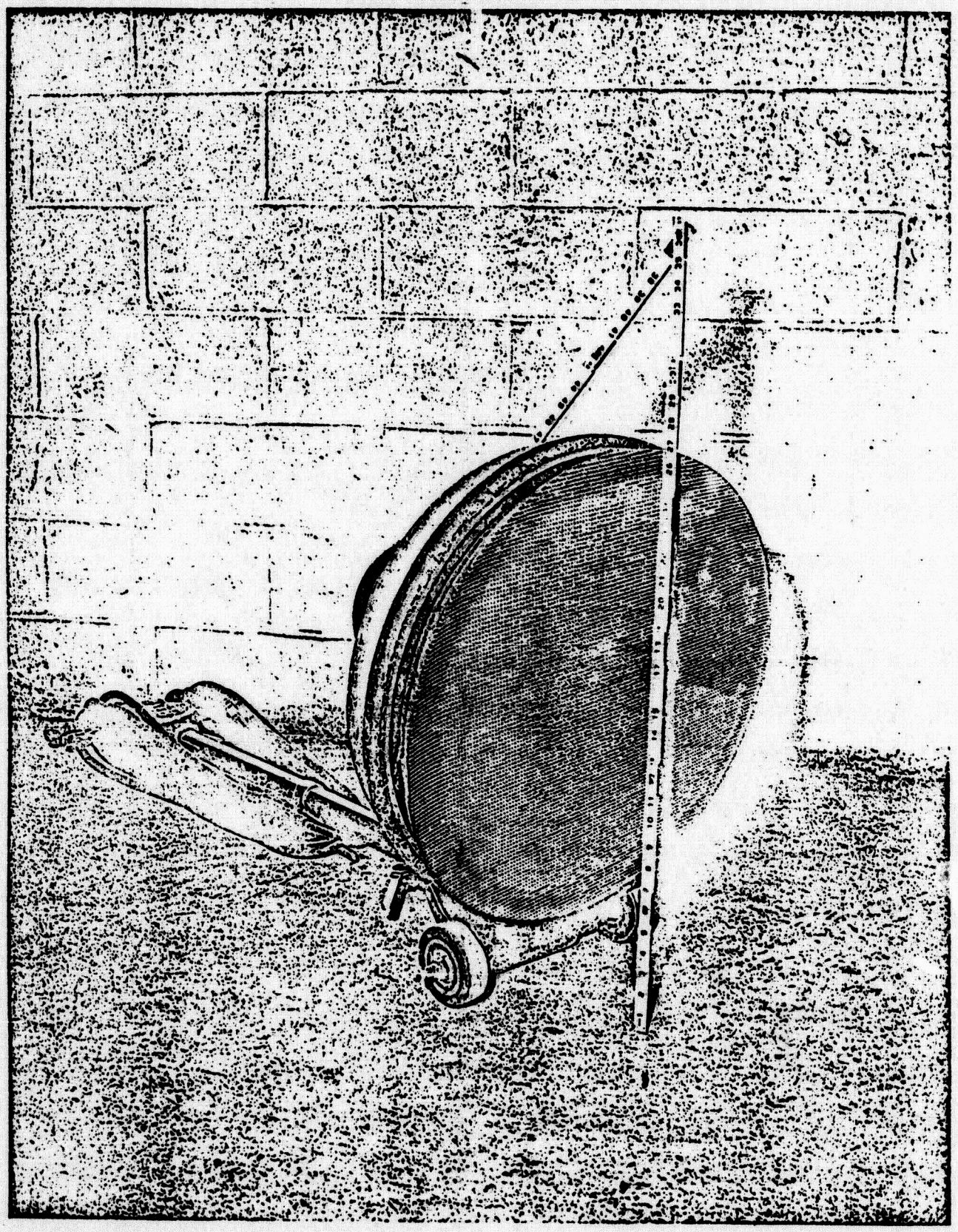

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October 23rd, 1974

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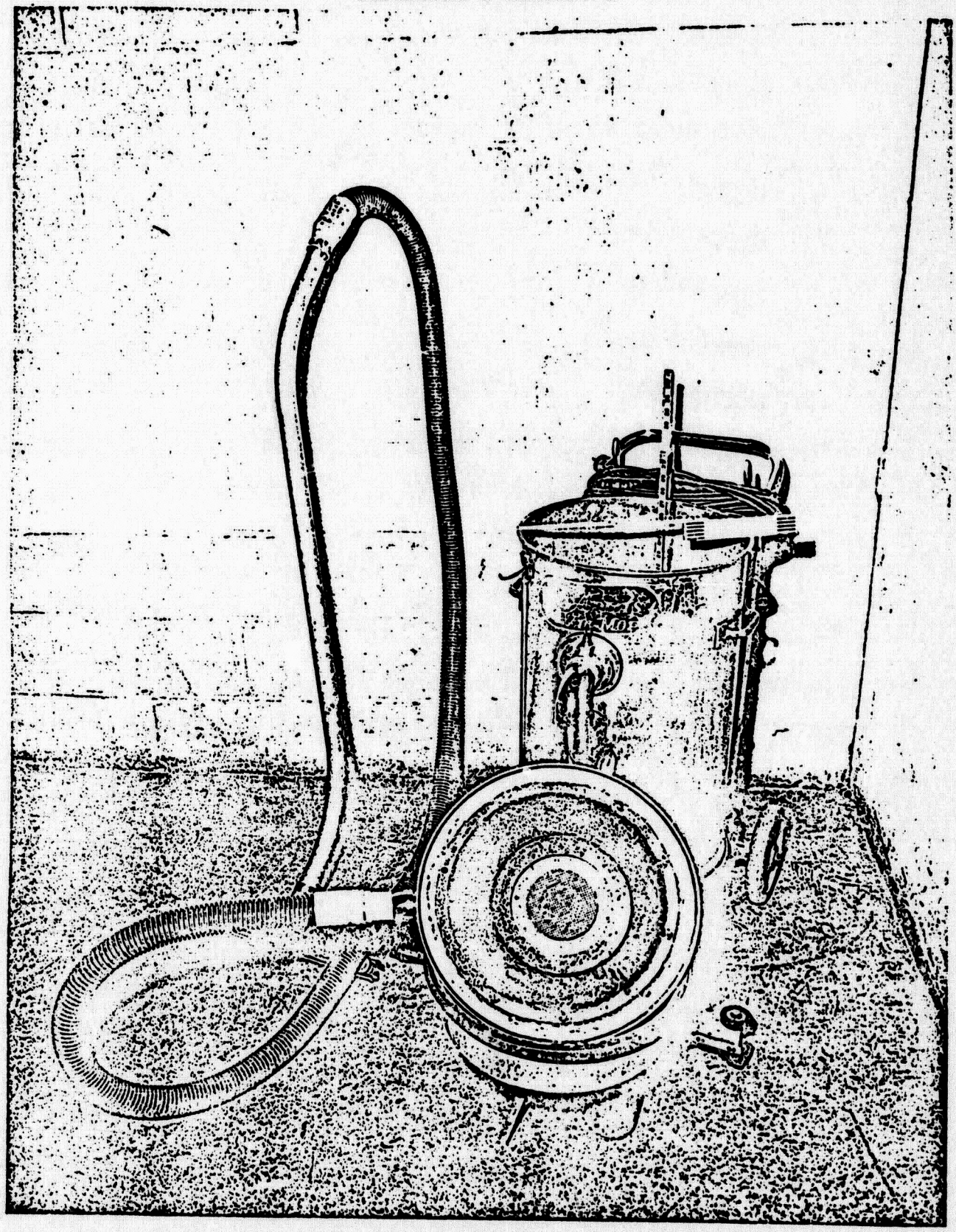

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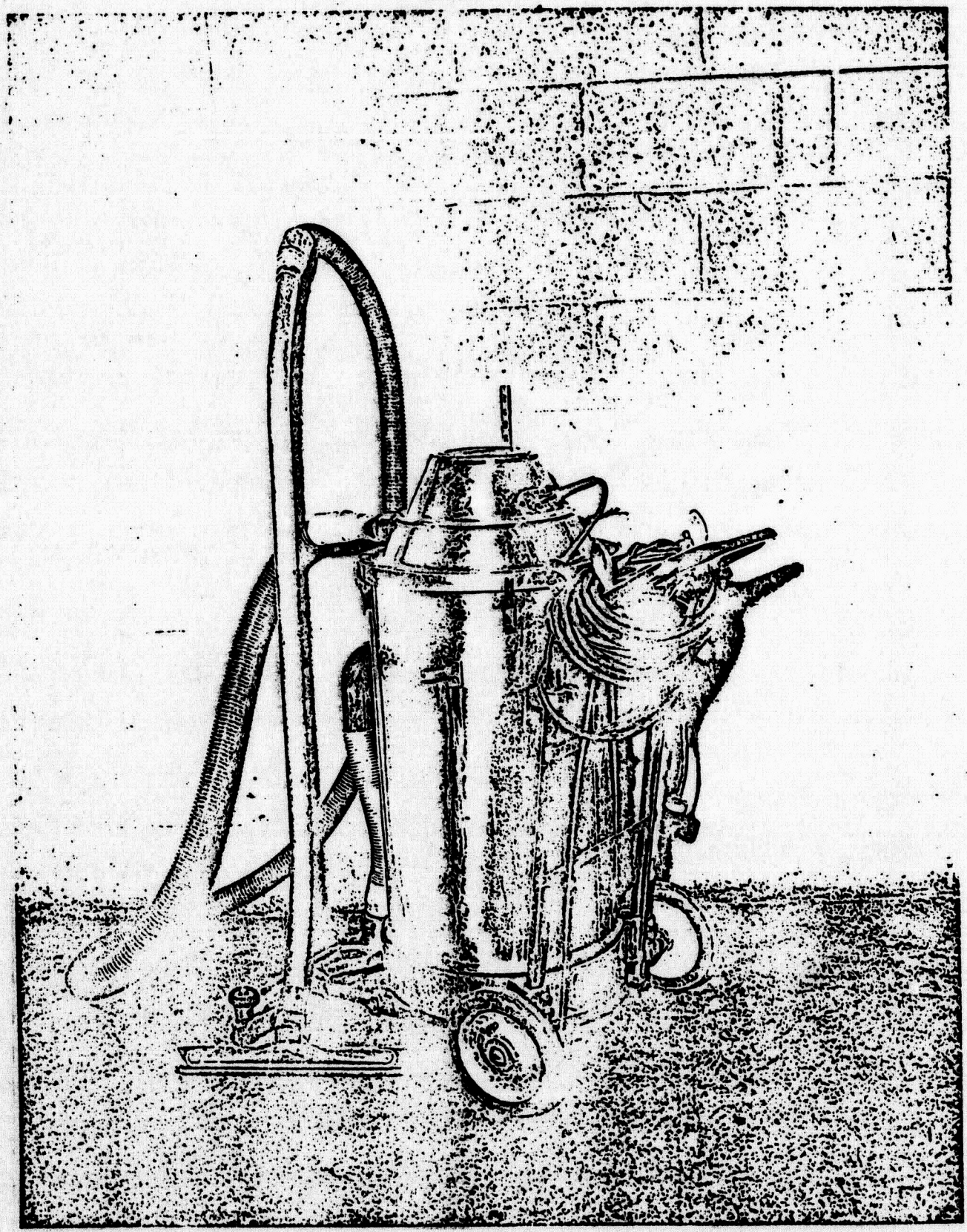

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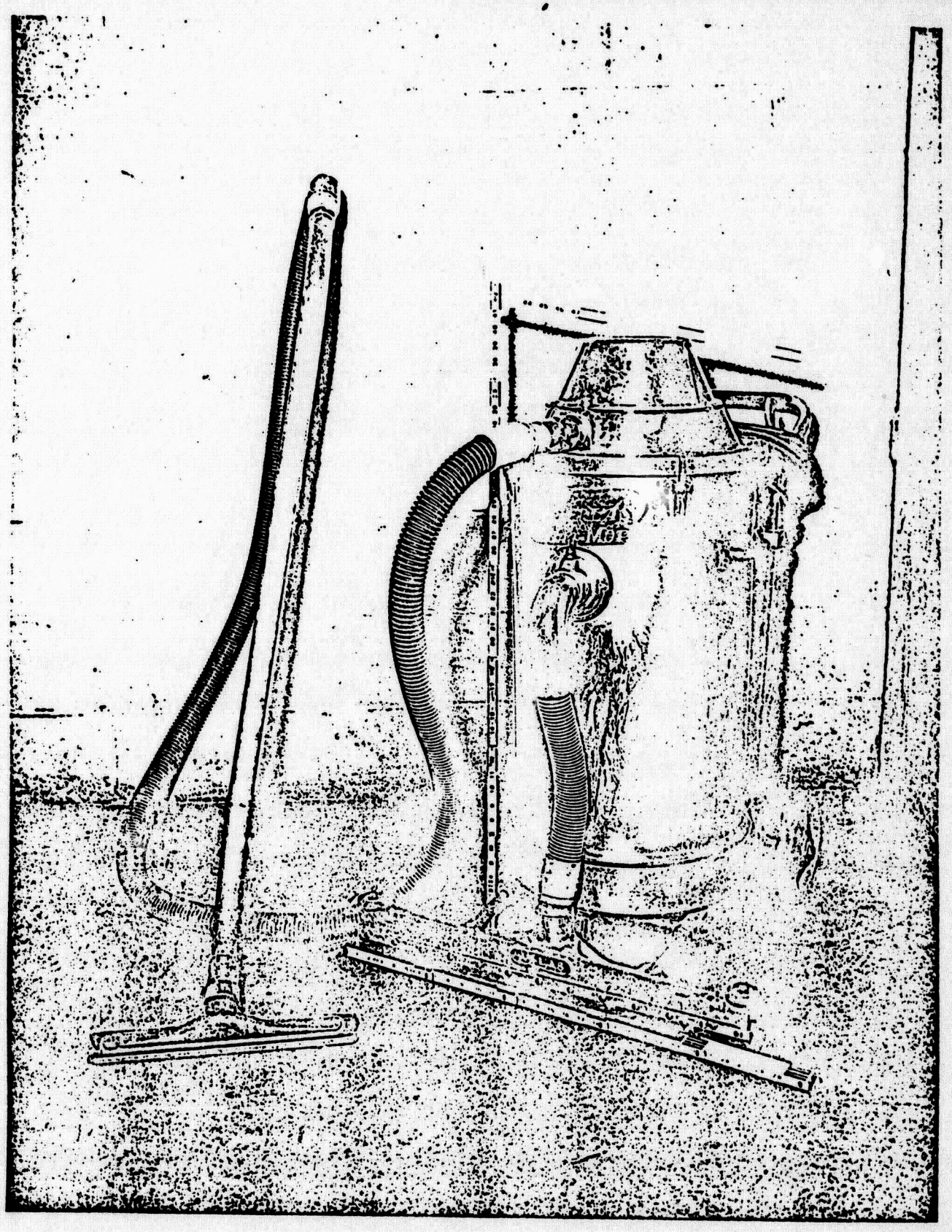

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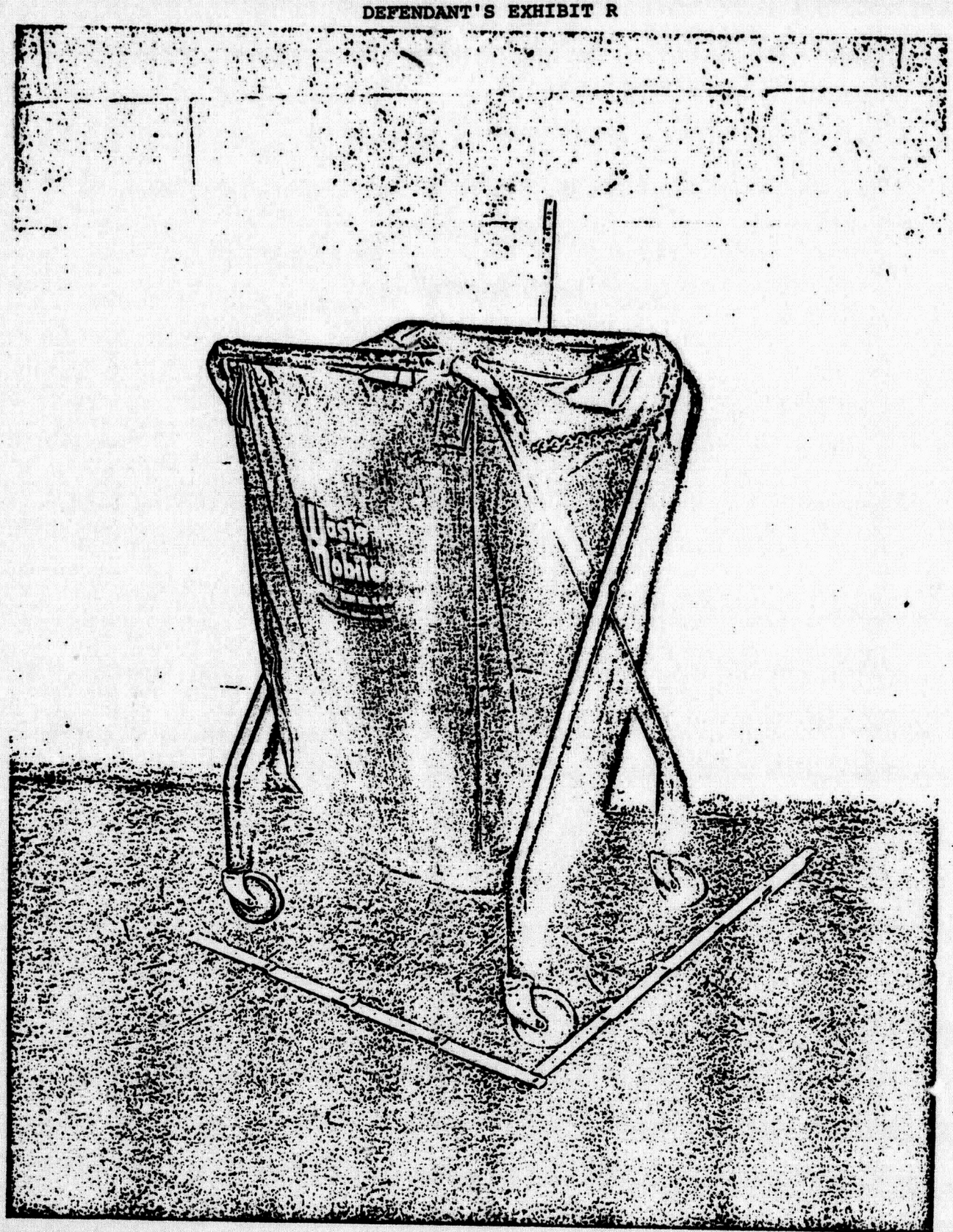

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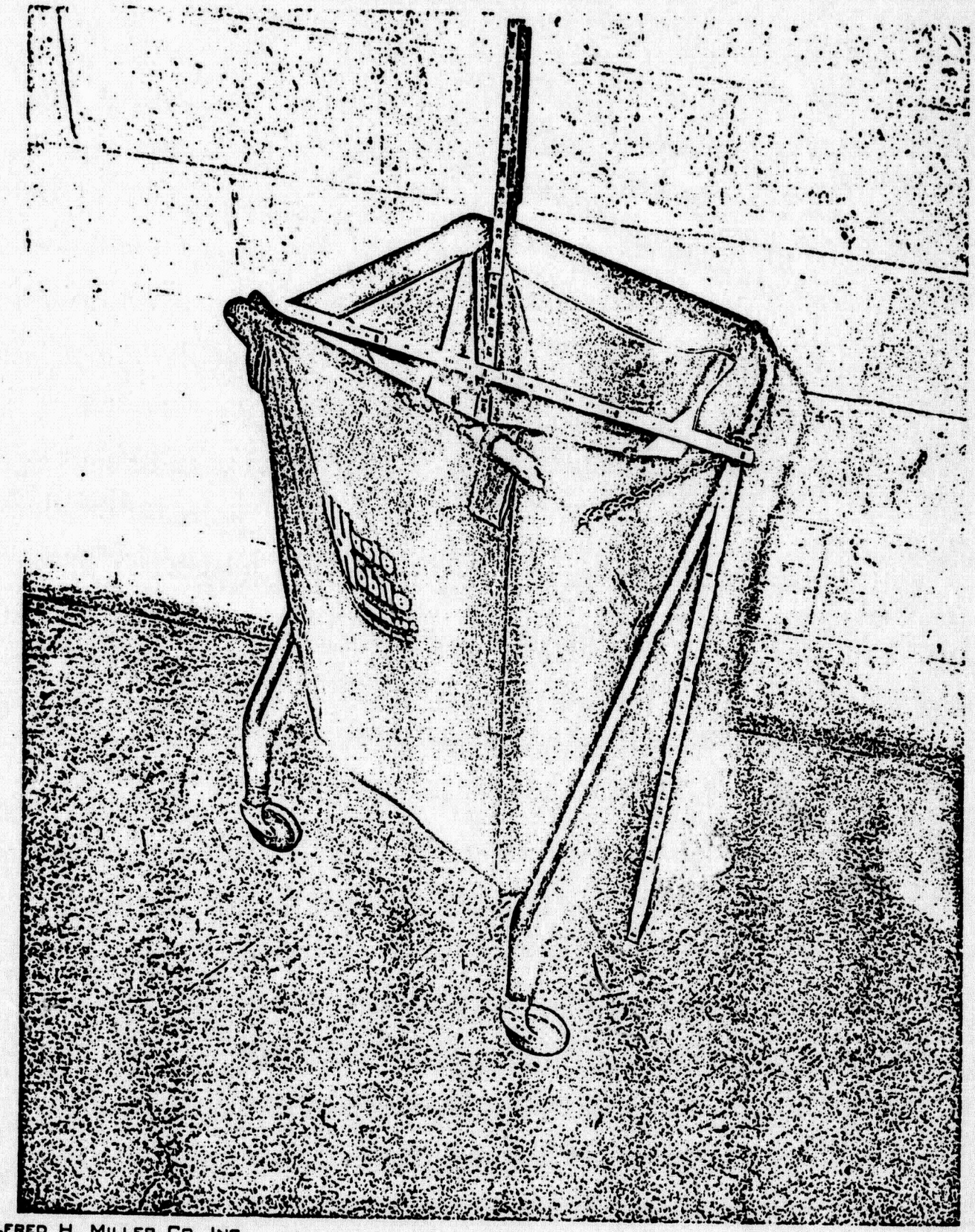

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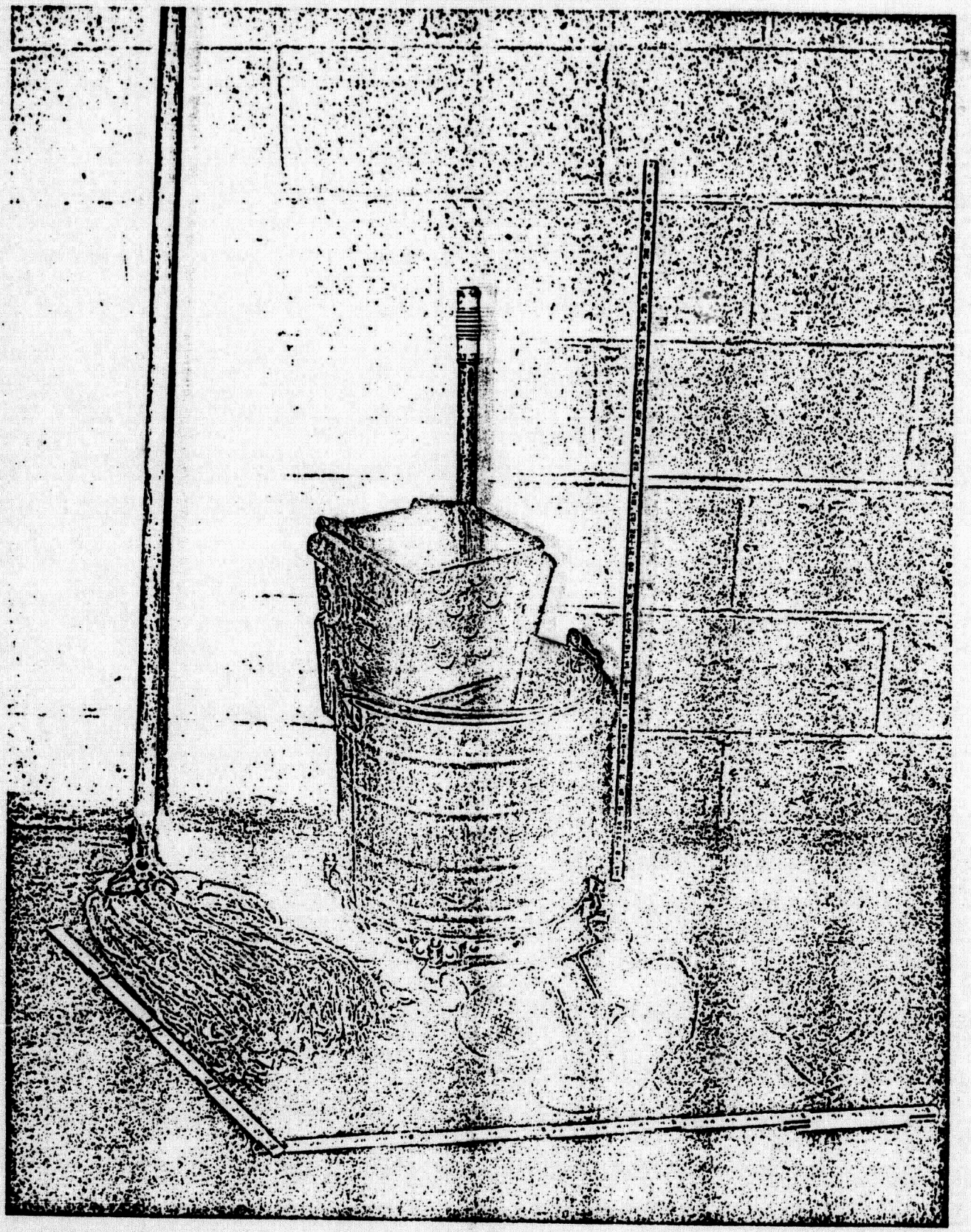

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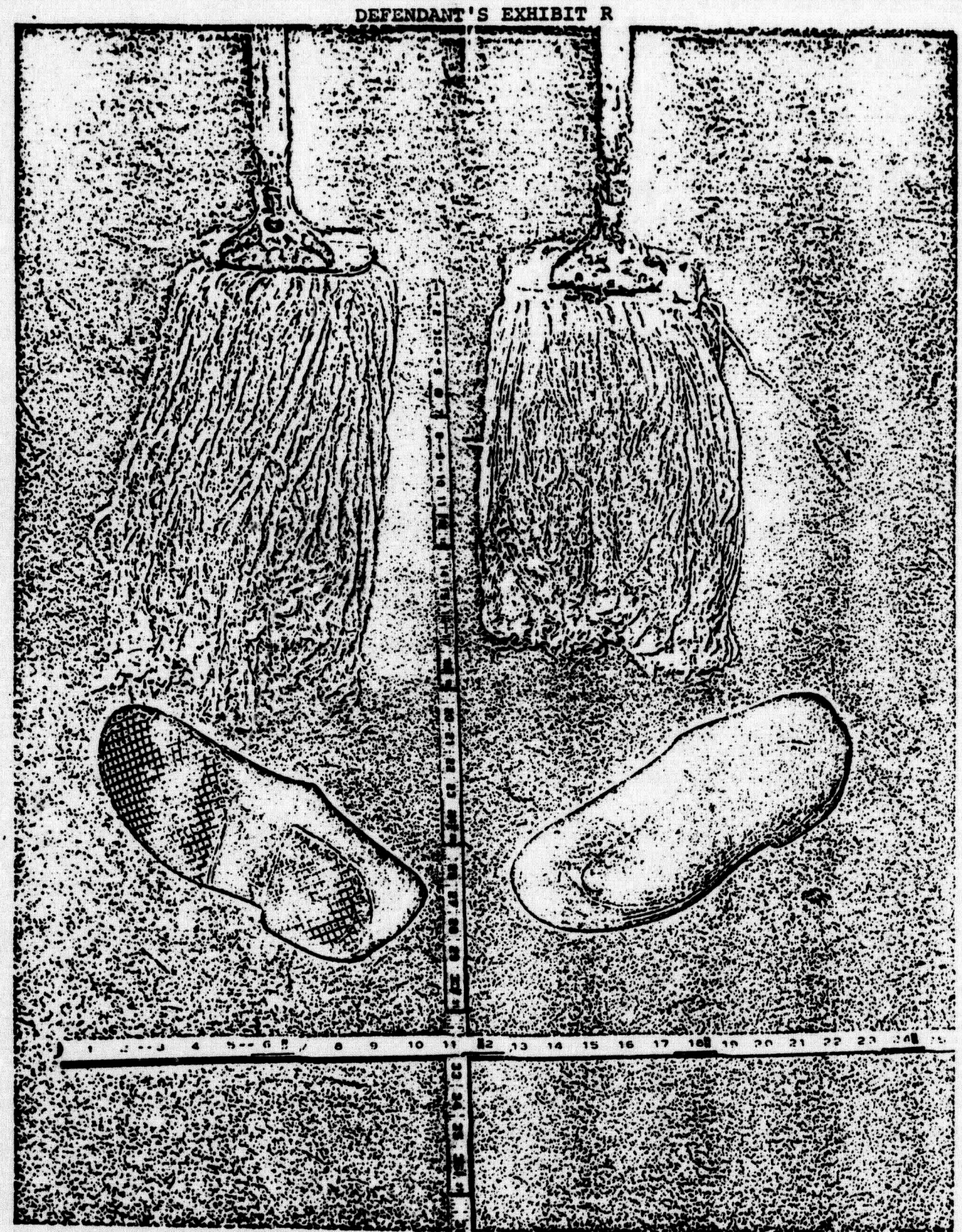

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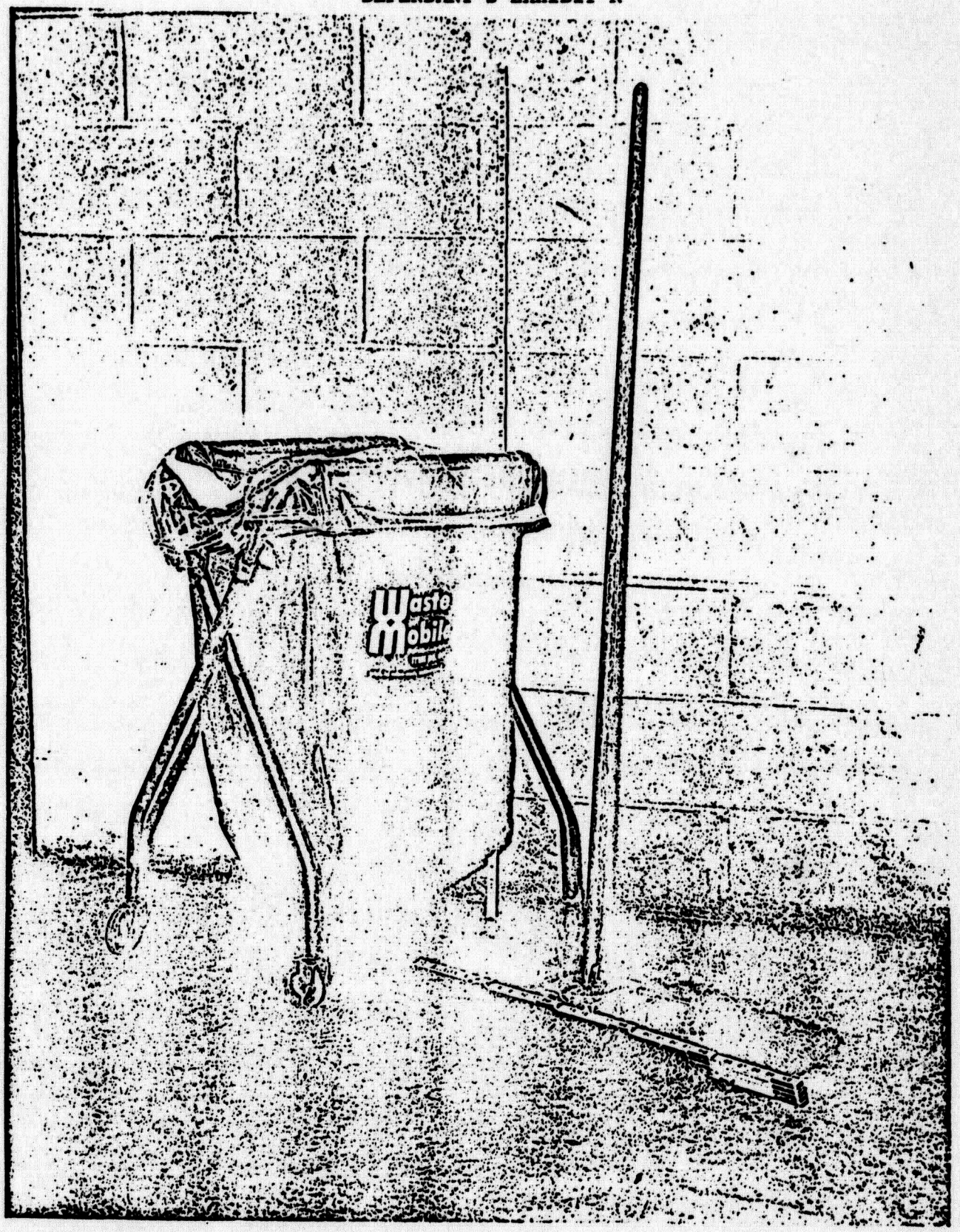

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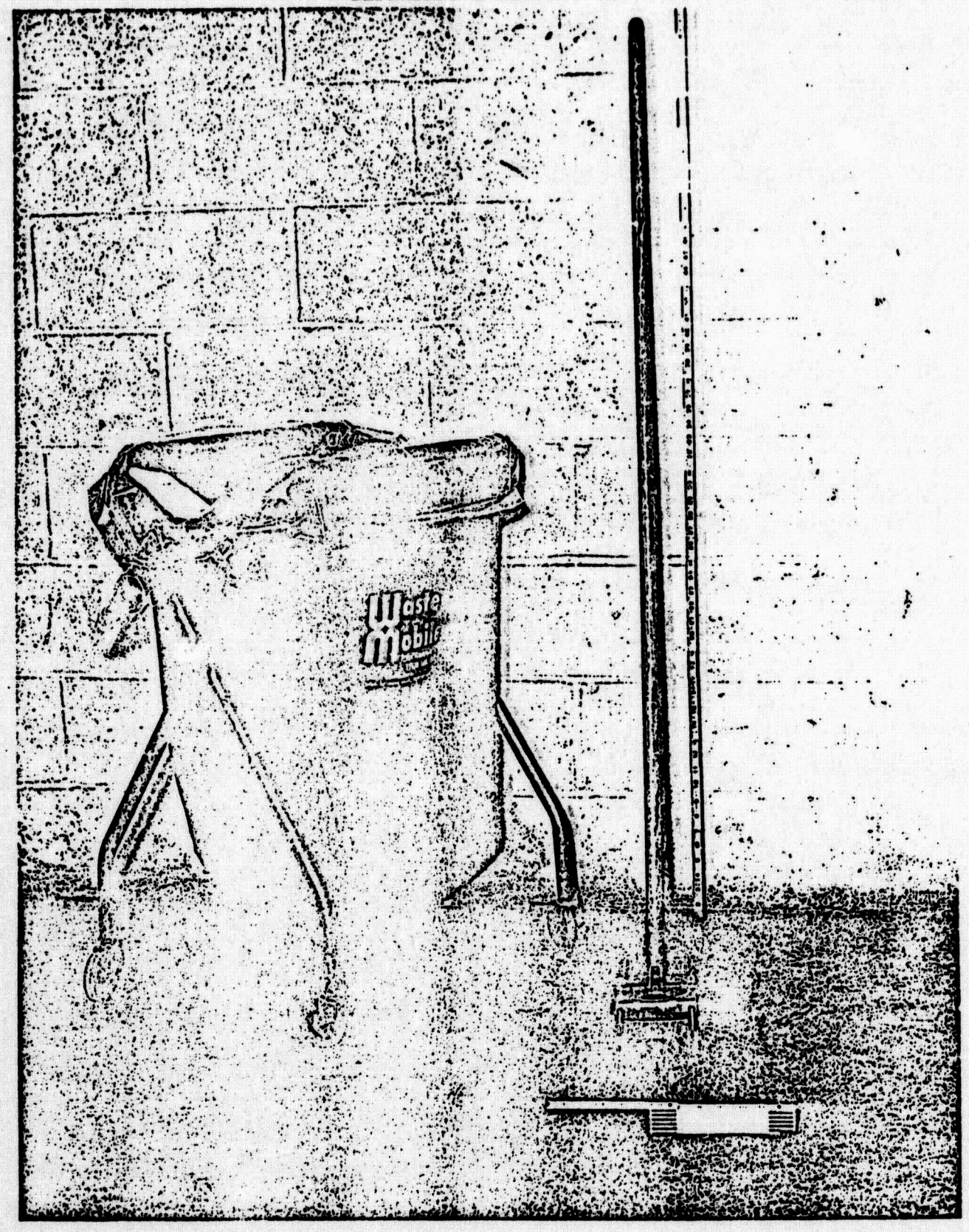

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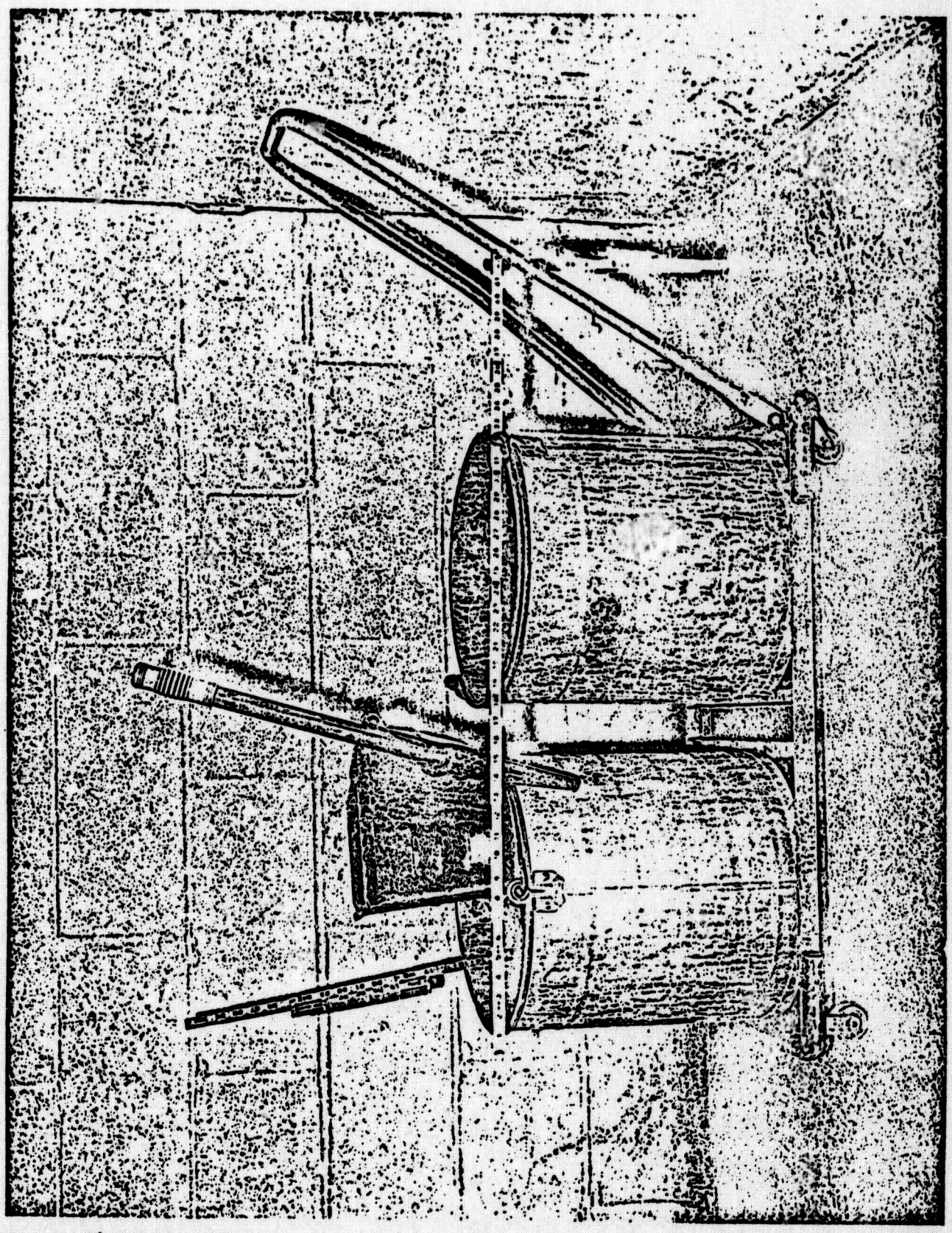

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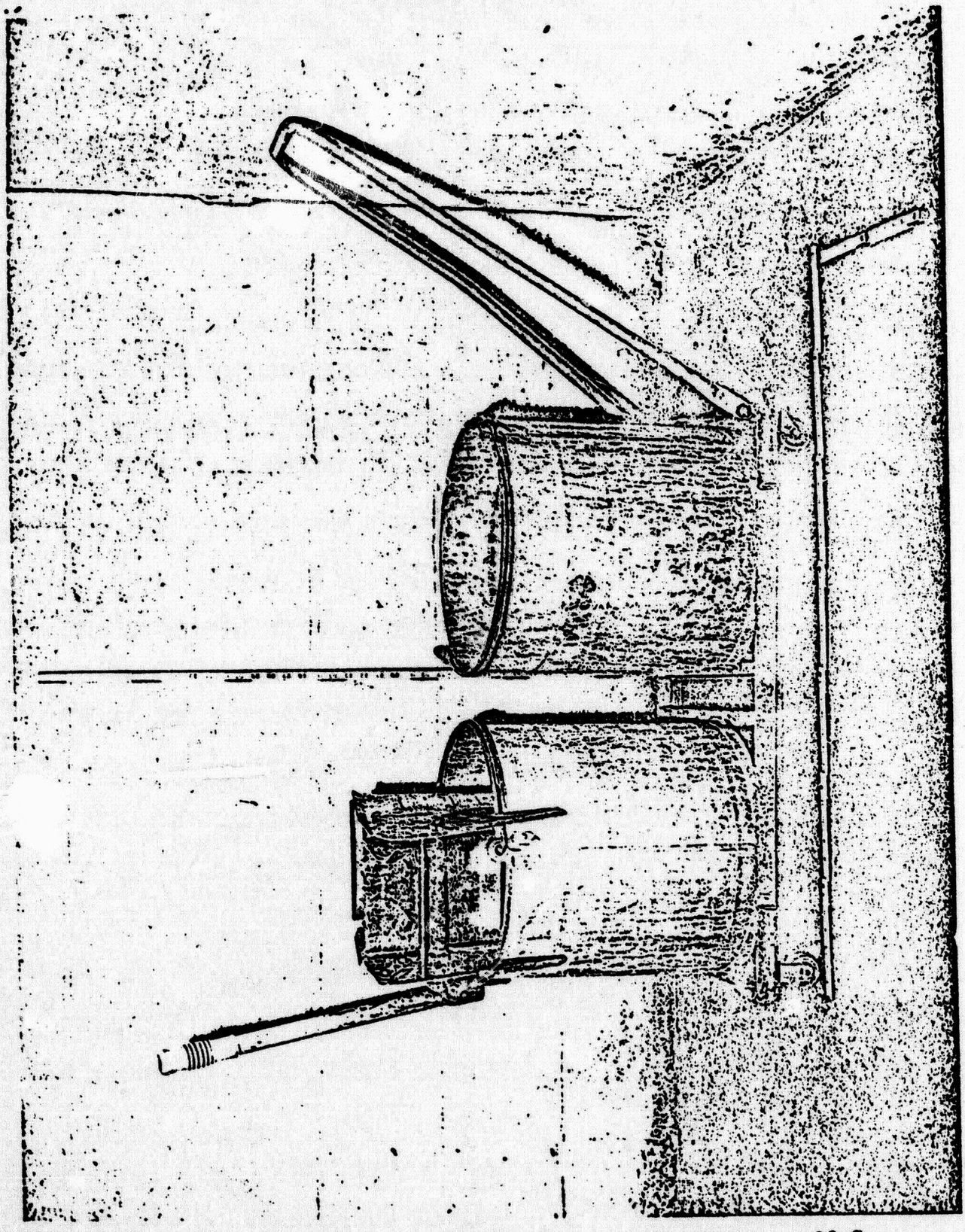

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DEFENDANT'S EXHIBIT Z

COLUMBIA UNIVERSITY

INTERDEPARTMENT MEMORANDUM

De rtment of Buildings and Gro s

Date August 10 1971

To Mr. John C. Gardner

Subject Maids - Grievance Review TWU #241

The following is a summary of the meeting held in 411 Low Library at 8 AM above date to discuss a listing of complaints made by a group of maids on August 6, 1971.

Attending: For Local Union #241. Messrs J. O'Brien W. Smith, E. Trotter, N. Dean and W. McNeil

For the University Messrs. D. L. Wade, S. Ackroff and N. Shervington.

The complaints were found to be largely repetitious. Most frequently mentioned were the items reproduced below. The corrective action taken is noted alongside.

	Complaint	Corrective Action
1.	Maids are required to clean machine shop shavings etc.	The machinists will control the industrial debris and the maids will not be required to do other than the normal sweeping function.
2.	Maids find building doors closed when they report to work.	The key or keys should be picked up from Security prior to going to job area.
3.	Maids squabble and argue for the better chores.	Assignments will be carefully made to alternate more desirable work.
4.	Maids are obliged to collect heavy garbage (Schermerhorn Extension).	This was corrected immediately upon discovery by Mr. Shervington. The Janitor will haul away the trash.
5.	Maids working together quarrel.	Women known to be incompatible will not be assigned together.
6.	Excessive walking during the night's work.	The maids should confine absenteeism to less than 5% and so permit the work to be performed as planned.

CONCLUSIONS

We noted that we had respectfully and carefully studied the statements made by the maids on August 6th, and that it was our intention to address ourselves to the letter and spirit of their observations.

It was agreed by all that there had been no increase in work load.

We stated plainly that we would rely on the professional management expertise of Messrs. Ackroff and Shervington to make productive and compatible assignments.

We respectfully requested the cooperation of the Maid Personnel to enable the accomplishment of the nightly scheduled program of work by their proper and regular attendance.

A follow up meeting was scheduled for August 24th, 8 AM.

Dan

D. L. Wade

mk

cc: Messrs. J.P. Nye
R.E. Adams
J.W. McKeever

GPO 909-007